



Deposition of:
Susan Carvalho , Ph.D.

February 19, 2019

In the Matter of:
**Amiri, Ali v. The Board Of Trustees Of
The University Of Alabama**

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<p style="text-align: right;">Page 10</p> <p>1 reporter please swear in the witness. 2 COURT REPORTER: Okay. Ms. -- 3 Dr. Carvalho, if you'll raise your right 4 hand, I will swear you in. 5 (WITNESS COMPLIES) 6 COURT REPORTER: Do you 7 solemnly swear or affirm that the 8 testimony you're about to give in this 9 matter will be the truth, the whole 10 truth, and nothing but the truth, so 11 help you God? 12 THE WITNESS: Yes. 13 COURT REPORTER: Thank you. 14 Do the attorneys prefer 15 the standard stip- -- or usual 16 stipulations? 17 MR. DYKES: That's fine. 18 COURT REPORTER: Okay. 19 MR. AMIRI: Yes. 20 COURT REPORTER: Thank you. 21 SUSAN CARVALHO, Ph.D., 22 having been first duly sworn, was 23 examined and testified as follows:</p>	<p style="text-align: right;">Page 12</p> <p>1 in your testimony? 2 A. No. 3 Q. Thank you very much for the 4 special answers. 5 MR. AMIRI: I would introduce 6 Exhibit Number 1. 7 (PLAINTIFF'S EXHIBIT NO. 1 8 MARKED) 9 BY MR. AMIRI: 10 Q. This is the court order entered 11 on February 13. So you have this court 12 order; I don't need to explain it 13 further. 14 (PLAINTIFF'S EXHIBIT NO. 2 15 MARKED) 16 BY MR. AMIRI: 17 Q. The second document I'm going 18 to enter to -- is Exhibit Number 2. 19 This is a letter of dismissal and a few 20 other documents you produced. 21 MR. DYKES: Susan, can I see 22 that? 23 THE WITNESS: This one?</p>
<p style="text-align: right;">Page 11</p> <p>1 EXAMINATION 2 BY MR. AMIRI: 3 Q. Let's start with some 4 background information. Could you 5 please say your full name. 6 A. My name is Susan Elizabeth 7 Carvalho Chumney. 8 Q. And could you please say what 9 is your position in the University of 10 Alabama? 11 A. Associate provost and dean of 12 the Graduate School. 13 Q. And for how many years you are 14 in this position? 15 A. Two and a half. 16 Q. And how many years you are in 17 the University of Alabama? 18 A. Two and a half. 19 Q. Very good. These are the 20 questions which is -- you know, I -- I 21 have to ask. Have you had any medical 22 drug, alcohol, or any other thing which 23 can affect your -- can -- can affect you</p>	<p style="text-align: right;">Page 13</p> <p>1 (Indicating) 2 MR. DYKES: Yeah. (Reviews 3 document) Okay. 4 A. (Reviews document) 5 BY MR. AMIRI: 6 Q. Can you please explain what is 7 this letter, the first page? 8 A. Yes. The Graduate School 9 manages registration and continuation of 10 students across all of the graduate 11 programs in the university, but the 12 graduate programs have a balance between 13 centralized and -- and decentralized 14 actions. So, when a department 15 dismisses a student, they notify the 16 Graduate School, the Graduate School 17 sends the official document that 18 suspends the student's registration. 19 Q. So does the Department of 20 Physics and the Graduate School contact 21 the student independent from each other, 22 or they contact each other first and, 23 once they reach a decision, they contact</p>

4 (Pages 10 - 13)

<p style="text-align: right;">Page 14</p> <p>1 the student?</p> <p>2 MR. DYKES: Object --</p> <p>3 A. No, they --</p> <p>4 MR. DYKES: -- to the form.</p> <p>5 You can answer. You can</p> <p>6 answer.</p> <p>7 A. Generally the department acts</p> <p>8 on its own. They can consult with the</p> <p>9 Graduate School if they choose to do</p> <p>10 that, but the Graduate School follows</p> <p>11 the department's recommendation. This</p> <p>12 happens at -- at admission, and in the</p> <p>13 middle, and at the end of a student's</p> <p>14 career.</p> <p>15 BY MR. AMIRI:</p> <p>16 Q. So when a student is dismissed,</p> <p>17 does he receive a letter from Physics</p> <p>18 Department or from the Graduate School?</p> <p>19 A. First from the Physics</p> <p>20 Department and then from the Graduate</p> <p>21 School.</p> <p>22 Q. So you -- it is usual that you</p> <p>23 send -- the Graduate School, you send</p>	<p style="text-align: right;">Page 16</p> <p>1 you and Norma think and whether we</p> <p>2 should proceed with the hold. Thanks."</p> <p>3 Q. Yes. Thank you for reading</p> <p>4 that. Here you are telling that, "As I</p> <p>5 understand, we do not send a separate or</p> <p>6 additional letter of dismissal." Is it</p> <p>7 contrary to your previous testimony?</p> <p>8 A. We have a registrar who handles</p> <p>9 these processes. And in cases that are</p> <p>10 infrequent, I consult with her. And, at</p> <p>11 this point, she explained to me that we</p> <p>12 put a hold on the student's record. And</p> <p>13 so I didn't know at that time that we</p> <p>14 send a letter documenting that hold.</p> <p>15 Q. So your final position is that</p> <p>16 you send a letter. Is that correct?</p> <p>17 A. We do.</p> <p>18 Q. And --</p> <p>19 A. But we are not dismissing the</p> <p>20 student; the student has already been</p> <p>21 dismissed, but our letter suspends the</p> <p>22 student's registration.</p> <p>23 Q. Yes. But, anyway, you send a</p>
<p style="text-align: right;">Page 15</p> <p>1 letters to the students that they are</p> <p>2 dismissed. Is that correct?</p> <p>3 A. After they have been notified</p> <p>4 by the department.</p> <p>5 Q. I see. So, finally, when a</p> <p>6 student is dismissed from any program,</p> <p>7 the Graduate School will send a letter</p> <p>8 to him. Is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. Can you look at the page 2,</p> <p>11 which is UA production 56? Can you</p> <p>12 please read the first email that you</p> <p>13 sent to Jennifer Greer on June 26, 2017?</p> <p>14 A. You want me to read this part</p> <p>15 out --</p> <p>16 Q. Yes.</p> <p>17 A. -- loud? "As I understand it,</p> <p>18 we do not send a separate/additional</p> <p>19 letter of dismissal. We place a hold on</p> <p>20 their next-semester registration and put</p> <p>21 the department's letter into their file.</p> <p>22 That's it. But records here do not show</p> <p>23 that we were notified. Let me know what</p>	<p style="text-align: right;">Page 17</p> <p>1 letter to the student?</p> <p>2 A. Yes, we do.</p> <p>3 Q. I see. So on June 26 at 4:42</p> <p>4 p.m. that you wrote this email, you</p> <p>5 didn't have adequate knowledge about</p> <p>6 this process. That is --</p> <p>7 A. Right.</p> <p>8 Q. -- why you told "as I</p> <p>9 understand"?</p> <p>10 A. Right.</p> <p>11 Q. Very good. And can you please</p> <p>12 read the next email in the same page?</p> <p>13 A. From Jennifer Greer?</p> <p>14 Q. Yes.</p> <p>15 A. "I'm meeting with Norma</p> <p>16 tomorrow. It's interesting that this</p> <p>17 was sent a month ago and the Grad School</p> <p>18 was not notified. After a program</p> <p>19 dismisses a student, does the Graduate</p> <p>20 School also notify them? In grad</p> <p>21 school, they are admitted to a program</p> <p>22 and the Grad School at the same time,</p> <p>23 contrary to the undergraduate</p>

5 (Pages 14 - 17)

<p style="text-align: right;">Page 18</p> <p>1 experience."</p> <p>2 Q. Thank you for reading that.</p> <p>3 And can you explain the meaning of this</p> <p>4 email?</p> <p>5 A. Yes. The -- what I had just</p> <p>6 referenced about the -- the parallel</p> <p>7 processes that are central and</p> <p>8 decentralized.</p> <p>9 Q. Yes.</p> <p>10 A. She's explaining that, upon</p> <p>11 admission, the Graduate School notifies</p> <p>12 a student that they are admitted, and</p> <p>13 the department notifies the student that</p> <p>14 they are admitted. She says "at the</p> <p>15 same time." Generally the department is</p> <p>16 first, and then they notify the Graduate</p> <p>17 School, and we follow with the official</p> <p>18 letter.</p> <p>19 Q. But I remember that the</p> <p>20 Department of Physics should only notify</p> <p>21 the student, not the Graduate School.</p> <p>22 A. About admission or about</p> <p>23 dismissal?</p>	<p style="text-align: right;">Page 20</p> <p>1 have received a letter from Physics</p> <p>2 Department at that time?</p> <p>3 A. I believe that you had.</p> <p>4 Q. That I was dismissed?</p> <p>5 A. Yes, the email.</p> <p>6 Q. I -- I did not receive any</p> <p>7 email that tells me I was dismissed.</p> <p>8 A. (Nods affirmatively)</p> <p>9 Q. Have you seen an email that</p> <p>10 I -- I was dismissed?</p> <p>11 A. I have seen an email that</p> <p>12 contained the committee recommendation</p> <p>13 and an email from the chair that says</p> <p>14 that he will follow the recommendation.</p> <p>15 MR. AMIRI: So let me introduce</p> <p>16 that document as Exhibit Number 3.</p> <p>17 (PLAINTIFF'S EXHIBIT NO. 3</p> <p>18 MARKED)</p> <p>19 MR. DYKES: Susan, let me see</p> <p>20 that.</p> <p>21 THE WITNESS: (Tenders</p> <p>22 document)</p> <p>23 MR. DYKES: Thank you.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. About dismissal.</p> <p>2 A. The department notifies the</p> <p>3 student -- the department makes the</p> <p>4 decision.</p> <p>5 Q. And the --</p> <p>6 A. The department notifies the</p> <p>7 student. The Graduate School places a</p> <p>8 hold on the student's registration. The</p> <p>9 Graduate School notifies the student</p> <p>10 that the -- the dismissal from a program</p> <p>11 results in suspension from the Graduate</p> <p>12 School and a hold on the registration.</p> <p>13 So we manage the -- the registration</p> <p>14 process, and so we put a hold on the</p> <p>15 registration, and that -- it's the --</p> <p>16 the bureaucratic part of a dismissal.</p> <p>17 Q. I see. So a person who is</p> <p>18 being dismissed, the student who is</p> <p>19 being dismissed will receive two</p> <p>20 letters, one from Physics Department,</p> <p>21 the other from the Graduate School?</p> <p>22 A. That is the norm.</p> <p>23 Q. Very good. Do you know if I</p>	<p style="text-align: right;">Page 21</p> <p>1 (Reviews document) Now, this has more</p> <p>2 than just that one email.</p> <p>3 MR. AMIRI: Yes. This is the</p> <p>4 same document that I used in</p> <p>5 Dr. LeClair's deposition.</p> <p>6 MR. DYKES: Is it? Okay.</p> <p>7 MR. AMIRI: This is ten pages,</p> <p>8 and the title is "Contingent</p> <p>9 Recommendation," so it has all the</p> <p>10 emails on there.</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. So here is that email that you</p> <p>13 mentioned. It's produced on page</p> <p>14 number 8. Is -- is it -- is that</p> <p>15 correct?</p> <p>16 A. This one? (Indicating)</p> <p>17 Q. Yes, that one. Yes, that is</p> <p>18 correct.</p> <p>19 MR. DYKES: That is, yeah, 8</p> <p>20 of 10.</p> <p>21 BY MR. AMIRI:</p> <p>22 Q. So the title of this email is</p> <p>23 "Graduate support status," so it is not</p>

<p style="text-align: right;">Page 22</p> <p>1 about dismissal. And in the email, 2 there is nowhere that it says, "You are 3 dismissed." Is this correct? 4 A. That is -- 5 MR. DYKES: Object to -- 6 A. -- correct. 7 MR. DYKES: -- the form. But, 8 yeah, you can answer. 9 A. It doesn't use the word 10 "dismiss." 11 BY MR. AMIRI: 12 Q. So do you think that the letter 13 of dismissal should use the word 14 "dismiss" or not? 15 A. It would have been clearer to 16 you if they had used the word "dismiss," 17 but they're not required to use a 18 certain word. They're required to 19 communicate the decision, but it would 20 have been clearer to use the word 21 "dismiss." 22 Q. But he used the word "graduate 23 support status," and he tells that in</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Yes. 2 Q. Yes. I have objections to the 3 validity of this recommendation. I'm 4 thinking -- thinking that this is 5 illegal and it cannot be produced in 6 this way. I mean, these people who 7 created this document, I think their 8 action is unlawful, against the rules 9 and procedures of UA. But, for the time 10 being, I'm not going to discuss that. 11 This is -- this is a recommendation, and 12 the head of the department, the chair of 13 department, can take recommendation or 14 reject that. And it has different 15 recommendations. It says that the head 16 of department, or a person who 17 considered this, can change the graduate 18 support status or he can dismiss the 19 student. And in the previous page, as 20 you read, Dr. LeClair is taking that "I 21 have to follow the recommendation," and, 22 based on that, he's terminating my 23 graduate support, I mean the one that</p>
<p style="text-align: right;">Page 23</p> <p>1 the next semester I will not have 2 graduate support from Physics 3 Department, which means the next 4 semester, I will register -- I will 5 continue my education, but I need to pay 6 the fees and tuitions. Is this correct? 7 A. That would be correct if he did 8 not have the sentence at the end of 9 paragraph two, but it's the sentence at 10 the end of paragraph two that 11 communicates the decision of the 12 committee and says that he will follow 13 their recommendation. That's -- that is 14 the -- the communication that references 15 the committee's recommendation. 16 Q. The committee recommended a few 17 options. 18 A. Did they? 19 Q. Yes. And it is in pa -- next 20 page, page 9. 21 A. Um-hum. 22 Q. Is it their same recommendation 23 you have seen?</p>	<p style="text-align: right;">Page 25</p> <p>1 department is supposed to pay to me. So 2 he's following the recommendation by 3 removing my graduate support. 4 A. That isn't -- 5 MR. DYKES: Object to the form. 6 You can answer the que- -- go 7 ahead and answer. 8 A. Right. That isn't what he 9 said. 10 BY MR. AMIRI: 11 Q. So what he said, he said, "I'm 12 following the recommendation." Is this 13 correct? 14 A. He says that. 15 Q. So what is their 16 recommendation? 17 A. The recommendation is the 18 sentence at the end of the first 19 paragraph from the committee. 20 Q. Can you please read that? 21 A. It says -- it's a long 22 sentence. It's the whole paragraph. 23 "In the case of graduate student Ali</p>

7 (Pages 22 - 25)

<p style="text-align: right;">Page 26</p> <p>1 Amiri, based on the student's 2 demonstrated lack of progress in 3 research and disrespectful conduct 4 toward faculty advisors, colleagues, and 5 members of the academic community, the 6 Physics Department Graduate Advising 7 Committee considers that the student is 8 in violation of the Good Academic 9 Standing clause of the Departmental 10 Graduate Handbook, and, therefore, we 11 recommend that the student should not 12 receive financial support from the 13 Department of Physics and Astronomy and 14 should be dismissed from the Physics 15 graduate program." So -- 16 Q. So -- 17 A. -- that last -- 18 Q. -- this is -- this is -- 19 A. -- part -- 20 Q. -- two -- 21 A. -- is the recommendation. 22 Q. This is two recommendations, 23 and the person who adopting the</p>	<p style="text-align: right;">Page 28</p> <p>1 the letter they gave to Dr. LeClair on 2 April 28, 2017. 3 A. Yes, they made a 4 recommendation. 5 Q. So they have recommendation. 6 One is -- the first one is to -- student 7 should not receive financial support 8 from the Department of Physics. This is 9 one. But the second one is more severe. 10 Should be dismissed from the Physics 11 graduate program. So, if the 12 decision-maker adopt the second part, 13 which is to be dismissed, the first part 14 is nonrelevant, so they have one simpler 15 thing that is just remove the financial 16 support. But the second one is more 17 severe, just dismiss the student, so 18 there would be no next semester. And in 19 the email Dr. LeClair issues on page 8, 20 and it is on May 26, almost one month 21 later, he's talking about graduate 22 support status. So when we have -- we 23 are talking about graduate support</p>
<p style="text-align: right;">Page 27</p> <p>1 recommendation have their -- I mean, 2 these two different recommendation are 3 in contrast with each other. If a 4 student is going to be dismissed, there 5 will be no next semester. 6 A. That is correct. 7 Q. Then in next semester, why he 8 talking about the graduate support 9 status? 10 A. I can't explain the heading -- 11 the subject line of the email. The 12 message of the email is not completely 13 contained in a subject line of the 14 email. 15 Q. This is not email. This is 16 that you read is a letter that they gave 17 to Dr. LeClair. 18 A. I thought you were 19 referencing -- 20 Q. And it is on a pre- -- 21 A. -- the subject line of the -- 22 of Dr. LeClair's email. 23 Q. Yes. No, I'm talking about</p>	<p style="text-align: right;">Page 29</p> <p>1 status, it means that the student is not 2 dismissed, but he adopted the less 3 severe punishment, based on the 4 recommendation. 5 MR. DYKES: Object to the form. 6 A. He didn't say that. I think 7 if -- if Dr. LeClair were going to split 8 that recommendation into two 9 recommendations and agree with one half 10 and not agree with the other half, he 11 would have said that. He would have 12 said, "I will follow the committee's 13 recommendation here but not here." 14 BY MR. AMIRI: 15 Q. But -- 16 A. He did not say that. 17 Q. But the two parts are not 18 consistent with each other. You have to 19 choose one or the other; you cannot 20 choose both. 21 MR. DYKES: Object to the form. 22 A. I think you can choose both. 23 You -- you are correct, that, if they</p>

<p style="text-align: right;">Page 34</p> <p>1 support."</p> <p>2 Q. So Dr. LeClair, who sent that</p> <p>3 email, testifying under oath that I was</p> <p>4 not dismissed at that time.</p> <p>5 MR. DYKES: And I'm going to</p> <p>6 object to -- that is not his complete</p> <p>7 testimony and does not include his later</p> <p>8 testimony.</p> <p>9 MR. AMIRI: Yes. We can go to</p> <p>10 that.</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. Can you read from line 23 of</p> <p>13 this page and continue to the next page?</p> <p>14 A. "So the e-" --</p> <p>15 MR. DYKES: Which page is that?</p> <p>16 MR. AMIRI: This is page 58 of</p> <p>17 the --</p> <p>18 MR. DYKES: It's still 58,</p> <p>19 okay.</p> <p>20 MR. AMIRI: -- transcript.</p> <p>21 Yes.</p> <p>22 A. "So the email that you sent me</p> <p>23 on May 26th, on that day I am not</p>	<p style="text-align: right;">Page 36</p> <p>1 "On that date, correct."</p> <p>2 Q. So he answered twice that, on</p> <p>3 that date, I was not dismissed, twice.</p> <p>4 MR. DYKES: Same objection.</p> <p>5 BY MR. AMIRI:</p> <p>6 Q. Yes. It is not complete</p> <p>7 testimony, but he twice testified that I</p> <p>8 was not -- I was not dismissed on that</p> <p>9 time.</p> <p>10 Can you go to next page, which</p> <p>11 is page 78 of the transcript, and read</p> <p>12 Dr. -- Mr. Dykes' answer from line 14?</p> <p>13 A. "Well, I -- well, I think that</p> <p>14 this letter that Patrick sent on</p> <p>15 May 26th and the University's position</p> <p>16 is that's when you were dismissed. I</p> <p>17 understand his testimony. There's the</p> <p>18 letter from the dean in June that says</p> <p>19 you were dismissed from the Physics</p> <p>20 program, and, as a result, were being</p> <p>21 suspended from the Graduate School, but</p> <p>22 you have all the documents that we</p> <p>23 have."</p>
<p style="text-align: right;">Page 35</p> <p>1 dismissed? I am not in good academic</p> <p>2 standing. Is this correct?"</p> <p>3 BY MR. AMIRI:</p> <p>4 Q. And what is the answer?</p> <p>5 A. "On that day, yes."</p> <p>6 Q. So, in this minute, in this</p> <p>7 part of testimony, Dr. LeClair says that</p> <p>8 I was not dismissed.</p> <p>9 Can you --</p> <p>10 MR. DYKES: Same objection.</p> <p>11 That is not his complete testimony.</p> <p>12 BY MR. AMIRI:</p> <p>13 Q. Can you go to the next page,</p> <p>14 which is page 77 of transcript -- the</p> <p>15 transcript?</p> <p>16 A. (Witness complies)</p> <p>17 Q. So in -- from line 17, can you</p> <p>18 read on to line 22?</p> <p>19 A. "So then let's look at Exhibit</p> <p>20 Number 4, page 8. So this email is</p> <p>21 about graduate support status that is</p> <p>22 sent on the 26th. And, at this point,</p> <p>23 I'm not dismissed. Is this correct?"</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Yes.</p> <p>2 MR. AMIRI: So I include your</p> <p>3 answer as well.</p> <p>4 BY MR. AMIRI:</p> <p>5 Q. When did the --</p> <p>6 MR. DYKES: But you included</p> <p>7 mine. You didn't include Dr. LeClair's</p> <p>8 later answers --</p> <p>9 MR. AMIRI: Yes.</p> <p>10 MR. DYKES: -- did you?</p> <p>11 MR. AMIRI: It is in</p> <p>12 transcript. We can file it on the -- on</p> <p>13 the briefs that we will have with the</p> <p>14 court.</p> <p>15 MR. DYKES: Okay.</p> <p>16 BY MR. AMIRI:</p> <p>17 Q. But you see Dr. LeClair is not</p> <p>18 accepting that I am dismissed, until the</p> <p>19 attorney -- the counsel of the</p> <p>20 University tells him that, "Our position</p> <p>21 is not this." How will you explain</p> <p>22 that?</p> <p>23 MR. DYKES: Object to the form.</p>

<p style="text-align: right;">Page 38</p> <p>1 A. Yeah, I don't think I can 2 explain that. I would need to be 3 talking with Dr. LeClair and ask him 4 what he meant here and what he meant 5 there and how he understood the term and 6 how he understood the relationship 7 between what the department does and 8 what the Graduate School does. I -- I 9 would need to ask him that -- 10 BY MR. AMIRI: 11 Q. Yes. 12 A. -- question. I don't think I 13 can explain anything, based on what I'm 14 seeing here. 15 Q. Yes, based on testimon- -- I 16 mean, based on what Mr. Dykes, 17 University counsel, is saying is that -- 18 Mr. Dykes is saying, "I understand his 19 testimony. There is the letter from the 20 dean in June that says that you were 21 dismissed from the Physics program." So 22 when the head of the department, who 23 wrote the email, and, in his email, he</p>	<p style="text-align: right;">Page 40</p> <p>1 BY MR. AMIRI: 2 Q. And is it the position of the 3 dean to tell that, that Physics 4 dismissed you? The Physics Department 5 are not -- are not telling that "we 6 dismissed you." Is it your position 7 that you tell me that I was dismissed? 8 I mean, you can speak for Graduate 9 School. You cannot -- 10 A. I'm -- 11 Q. -- speak for Physics. 12 A. -- speaking for the Graduate 13 School. 14 Q. Yes. 15 A. We reviewed the documents and 16 verified that he was following the 17 recommendation of the committee, as he 18 said in the email, so we verified that. 19 Q. How did you verify that? 20 A. I asked Dr. LeClair if he was 21 following the recommendation of the 22 committee, as said -- as he said in the 23 email.</p>
<p style="text-align: right;">Page 39</p> <p>1 doesn't say the word "dismissed" and 2 under oath he doesn't accept that I was 3 dismissed, until the -- until counsel of 4 the University warns him -- 5 MR. DYKES: Object to -- 6 BY MR. AMIRI: 7 Q. -- is it -- 8 MR. DYKES: -- I object to that 9 I warned him. 10 MR. AMIRI: I mean, you correct 11 him. 12 MR. DYKES: I placed an 13 object- -- 14 MR. AMIRI: I'm sorry; you 15 correct him. 16 MR. DYKES: I -- I -- I put an 17 objection and -- 18 MR. AMIRI: No problem. I 19 mean, the -- 20 MR. DYKES: Yeah, it speaks for 21 itself. 22 MR. AMIRI: The deposition -- 23 deposition is there, yes.</p>	<p style="text-align: right;">Page 41</p> <p>1 (Witness hears thunder) Whoo. 2 We did want to be sure that we 3 were acting in parallel fashion with 4 what the department had decided. 5 Q. Did you send him email and you 6 asked him? 7 A. I don't remember. I know that 8 I asked him; I don't remember if it was 9 email or verbal. 10 Q. And if it -- 11 A. And if it was email, then you 12 would have it. 13 Q. Yes. 14 A. I don't remember -- 15 Q. There is no email that -- I 16 didn't receive any email in the 17 productions that I had. 18 MR. DYKES: You have all the 19 emails. 20 MR. AMIRI: Yes. 21 A. You have all the emails. 22 BY MR. AMIRI: 23 Q. There is no email that</p>

<p style="text-align: right;">Page 42</p> <p>1 Dr. Susan --</p> <p>2 A. Then it was verbal.</p> <p>3 Q. It was verbal. Do you remember</p> <p>4 when it was?</p> <p>5 A. It was before we sent our</p> <p>6 letter.</p> <p>7 Q. How long before that?</p> <p>8 A. There was quite a short time</p> <p>9 between when we were notified. When I</p> <p>10 learned that you had been dismissed, I</p> <p>11 learned that we had not been notified</p> <p>12 that you had been dismissed, so that we</p> <p>13 could follow with our letter about the</p> <p>14 registration hold.</p> <p>15 Q. So --</p> <p>16 A. So --</p> <p>17 Q. Yes.</p> <p>18 A. -- I verified the information</p> <p>19 before we sent our letter. I think</p> <p>20 three days, four days. I would have to</p> <p>21 look at the date where my conversation</p> <p>22 started. You know, I wou- -- I didn't</p> <p>23 know you. And so the first time that I</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. But why do communications with</p> <p>2 Physics Department is all verbal? I</p> <p>3 mean, you need to communicate with</p> <p>4 letters or at least emails.</p> <p>5 A. At some point they did forward</p> <p>6 me the decision of the committee and</p> <p>7 Dr. LeClair's email to you. So I</p> <p>8 received those documents before we wrote</p> <p>9 our letter.</p> <p>10 Q. So here you are telling me that</p> <p>11 the Graduate School received</p> <p>12 notification from Physics Department.</p> <p>13 Can you explain how it can be verbal?</p> <p>14 A. Notification can be verbal.</p> <p>15 Q. Somebody calls from Physics</p> <p>16 Department to your office and tells that</p> <p>17 one student is dismissed?</p> <p>18 A. That can happen.</p> <p>19 Q. So what is your recollection of</p> <p>20 how -- what -- how it happened in this</p> <p>21 case?</p> <p>22 A. My recollection of how it</p> <p>23 happened in this case is that there were</p>
<p style="text-align: right;">Page 43</p> <p>1 heard your name was with this matter,</p> <p>2 and I verified whether the process had</p> <p>3 been done correctly, and I saw that we</p> <p>4 had not issued our letter. I verified</p> <p>5 the information, and we issued the</p> <p>6 letter.</p> <p>7 Q. Yes. In your letter you are</p> <p>8 telling that -- it is in Exhibit 2, the</p> <p>9 first page. "The Graduate" --</p> <p>10 A. The June 29th letter?</p> <p>11 Q. Yes. "The Graduate School</p> <p>12 received notification from Department of</p> <p>13 Physics that you have been dismissed."</p> <p>14 What was the form of this notification?</p> <p>15 Did they send you a letter? Did they</p> <p>16 send you an email? How you was</p> <p>17 notified?</p> <p>18 A. I don't remember how I was</p> <p>19 notified, whether it was email or</p> <p>20 verbal.</p> <p>21 Q. So probably that was verbal as</p> <p>22 well?</p> <p>23 A. It may be.</p>	<p style="text-align: right;">Page 45</p> <p>1 discussions between you and someone, and</p> <p>2 I don't remember if it was Dr. Han or</p> <p>3 Jennifer Greer. We were all in a</p> <p>4 conversation about your status.</p> <p>5 Q. But, if the Physics Department</p> <p>6 did not notify you, how do you fir- --</p> <p>7 start this kind of discussions?</p> <p>8 A. The Physics Department . . .</p> <p>9 Q. So when the Physics -- the</p> <p>10 question is that how you un- -- how you</p> <p>11 was notified.</p> <p>12 MR. DYKES: And I think she's</p> <p>13 answered that.</p> <p>14 A. I learned of the discussion</p> <p>15 with you about your status, and I asked</p> <p>16 for -- I asked for information: "What</p> <p>17 happened? Please explain Dr. Amir- --</p> <p>18 "Mr. Amiri's situation. Please explain</p> <p>19 what's happening with Ali Amiri's</p> <p>20 situation." And then --</p> <p>21 Q. So --</p> <p>22 A. -- Patrick LeClair forwarded</p> <p>23 me.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q. So from whom you learned? I</p> <p>2 mean, who was the first person who told</p> <p>3 you there is a dispute here, there is a</p> <p>4 problem here?</p> <p>5 A. I don't remember if it was</p> <p>6 Luoheng Han or Jennifer Greer.</p> <p>7 Q. I see. So you --</p> <p>8 A. But I generally hear about</p> <p>9 disputes that involve graduate student</p> <p>10 status. So one of them brought me into</p> <p>11 the conversation.</p> <p>12 Q. So it --</p> <p>13 A. And I asked for explanation, so</p> <p>14 I could understand what your status was.</p> <p>15 Q. I see. So the first time that</p> <p>16 you heard about me, it was not from</p> <p>17 Physics Department, it was from one of</p> <p>18 other members, either Dr. Han or</p> <p>19 Dr. Jennifer?</p> <p>20 A. I believe so, yes.</p> <p>21 Q. And then you contact probably</p> <p>22 Physics Department, and they told, yes,</p> <p>23 I was --</p>	<p style="text-align: right;">Page 48</p> <p>1 email communication that is about -- the</p> <p>2 title is the "Graduate support status."</p> <p>3 A. And, in conjunction with the</p> <p>4 document it references, which is the</p> <p>5 committee report.</p> <p>6 Q. Yes.</p> <p>7 A. So I received them both.</p> <p>8 Q. I see. So --</p> <p>9 A. That is --</p> <p>10 Q. -- is --</p> <p>11 A. -- the notification --</p> <p>12 Q. -- attachment of the --</p> <p>13 A. -- on which I acted.</p> <p>14 Q. I see. So there is no other</p> <p>15 notification?</p> <p>16 A. (No response)</p> <p>17 Q. So there is no other written</p> <p>18 not- -- notification if there is --</p> <p>19 A. There is no other written</p> <p>20 notification.</p> <p>21 Q. I see. So let us talk about</p> <p>22 this recommendation. And it is on</p> <p>23 page 9 of the Exhibit Number 3.</p>
<p style="text-align: right;">Page 47</p> <p>1 A. And I asked for the documents.</p> <p>2 Q. And they -- then they forward</p> <p>3 to.</p> <p>4 A. (Nods affirmatively)</p> <p>5 Q. So in -- in your email that you</p> <p>6 are telling that the Graduate School</p> <p>7 received notification from the</p> <p>8 Department of Physics, so the correct --</p> <p>9 it would be better you say the Graduate</p> <p>10 School contacted Physics Department and</p> <p>11 learned that you was -- you were</p> <p>12 dismissed?</p> <p>13 A. We could have said that, it is</p> <p>14 true, but we also -- it is true, that we</p> <p>15 received the notification.</p> <p>16 Q. Later.</p> <p>17 A. We acted on the receipt of the</p> <p>18 notification, so we didn't act on a</p> <p>19 verbal conversation.</p> <p>20 Q. So the --</p> <p>21 A. We acted upon receipt of the</p> <p>22 notification.</p> <p>23 Q. And your notification is that</p>	<p style="text-align: right;">Page 49</p> <p>1 A. Oh, 3. (Reviews documents)</p> <p>2 Yes.</p> <p>3 Q. And can you please tell me what</p> <p>4 is the graduate advising committee?</p> <p>5 A. Can I tell you what is the</p> <p>6 graduate advising committee?</p> <p>7 Q. Yes.</p> <p>8 A. No.</p> <p>9 Q. So can you explain who they</p> <p>10 are, what is their duty, what is their</p> <p>11 responsibility?</p> <p>12 A. No.</p> <p>13 Q. Why not?</p> <p>14 A. Because this is part of the</p> <p>15 decentralized way that graduate programs</p> <p>16 operate. Different programs operate in</p> <p>17 different ways. So I can speak very</p> <p>18 generally about how I know that many</p> <p>19 graduate advising committees work, but</p> <p>20 it -- what I say could not be held to</p> <p>21 scrutiny about how the Physics Graduate</p> <p>22 Advising Committee works. I would have</p> <p>23 to ask them, because it -- they operate</p>

<p style="text-align: right;">Page 50</p> <p>1 in a decentralized way. I don't control 2 them. They make decisions because they 3 are the ones who monitor and assess the 4 academic progress of the student. And 5 each department has a different way of 6 doing that. And so, I am not familiar 7 with the details of how the graduate 8 advising committee in Physics works. 9 Q. May I ask what is your own 10 major? 11 A. My Ph.D. is in literature. 12 Q. And you have a Ph.D. I mean, 13 like all disciplines, you have bachelor 14 degree, then master degree, then Ph.D.? 15 A. Right. 16 Q. And did you have a dissertation 17 committee in your studies? 18 A. I did have a dissertation 19 committee, but my department operated 20 quite differently. I could go -- we 21 op- -- they operated often as a 22 committee of the whole, so it had a 23 dissertation committee and a committee</p>	<p style="text-align: right;">Page 52</p> <p>1 their own process. 2 BY MR. AMIRI: 3 Q. And the handbook was telling 4 that they are right? 5 A. The handbook is telling that -- 6 what the criteria are, and they echo 7 those criteria accurately, so they are 8 acting in accordance with their process. 9 Q. And so your -- 10 A. So that's my only job. 11 Q. So your research shows that the 12 graduate advising committee can decide 13 to remove a student from a program in 14 Physics. Yes? 15 A. No, no, that is not stated in 16 the handbook, and that's not what they 17 are stating here. What they're doing 18 here is making a recommendation to the 19 department chair. 20 Q. But, if they cannot make a 21 recommendation, it is contrary to the 22 rule, so you cannot accept them. 23 A. I'm not following you.</p>
<p style="text-align: right;">Page 51</p> <p>1 of the whole. So that's a unique way of 2 operating that my university had -- 3 Q. So it is different from 4 Physics -- 5 A. -- that other universities 6 don't have. 7 Q. I see. So it is different 8 from Physics, you are telling me. And 9 then -- 10 A. And -- yes. 11 Q. Yes. Go ahead. 12 A. Each department operates in its 13 own way. 14 Q. So do you have -- did you have 15 any way to see if the Physics Department 16 is following the right procedure, or you 17 just trust them? 18 MR. DYKES: Object to the form. 19 A. My role is to ensure that 20 process is followed. So when I received 21 this and they referenced the handbook, I 22 read the handbook to make sure that they 23 are operating in -- in concert with</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. Okay. A person who is making a 2 recommendation should be authorized to 3 make a recommendation. Do you see that 4 the graduate advising committee had the 5 power to make such a recommendation? 6 A. The department chair said that 7 that's how they operate. 8 Q. So this is how you confirm that 9 it is correct? 10 A. Yes. 11 Q. Did you have any other means of 12 fact-checking to check if the head of 13 department is telling the truth or not? 14 A. No. 15 Q. So basically you trusted on 16 Dr. LeClair. Is this correct? 17 A. If Dr. LeClair is acting in the 18 way that the graduate handbook -- the 19 department handbook says he will operate 20 and it doesn't violate any University 21 guidelines as outlined in the graduate 22 catalog, then -- then I trust that the 23 process is appropriate.</p>

<p style="text-align: right;">Page 54</p> <p>1 Q. So it is based on trust on 2 Dr. LeClair basically. Yes? 3 MR. DYKES: Object to the form. 4 A. And the faculty. 5 BY MR. AMIRI: 6 Q. So, if you was not trusting 7 Dr. LeClair for any reason, just suppose 8 that you wouldn't trust Dr. LeClair, how 9 you would evaluate these letters? 10 MR. DYKES: Object to the form. 11 You can answer if you can. 12 A. I would ask for the grounds, on 13 what grounds was the decision made. 14 BY MR. AMIRI: 15 Q. Did you ask them for the 16 grounds in this case? 17 A. I think the grounds were clear. 18 Q. Can you tell me what is the 19 grounds? 20 A. The grounds were demonstrated 21 lack of progress in research and 22 disrespectful conduct toward faculty 23 advisors, colleagues, and members of the</p>	<p style="text-align: right;">Page 56</p> <p>1 they have made progress; the advisor 2 says that progress is not being made or 3 is not being made in a satisfactory way. 4 There is almost never agreement on that. 5 Q. But the problem here is that my 6 advisors did not sign this document. 7 The people who signed this document did 8 not have qualification to even 9 understand my research. They were high 10 energy physicists or particle physicists 11 and astronomers. They cannot understand 12 my research. The people who was in 13 my -- who were in my dissertation 14 committee, all of them was specialized 15 in my area. They did not sign this 16 document. 17 MR. DYKES: Object to the form. 18 You can answer. 19 A. I would need to ask the 20 graduate advising committee how they 21 arrived at their determination. 22 BY MR. AMIRI: 23 Q. So, at that time, you did not</p>
<p style="text-align: right;">Page 55</p> <p>1 academic community, referencing the Good 2 Academic Standing clause of the 3 departmental graduate handbook. So my 4 investigation was to read and understand 5 that. 6 Q. So how you can verify that the 7 students has lack of progress in 8 research? 9 A. There we trust the committee 10 and the faculty. That's a very -- that 11 is a determination where the student 12 seldom agrees with the advisors. 13 Q. No, it is not the -- 14 A. Often -- 15 Q. -- from the student -- 16 A. -- advisors see lack of 17 progress; the student sees progress. 18 Q. Very good point. So here -- 19 A. There is seldom agreement on 20 that point. 21 Q. Between the student and 22 advisor. Is this correct? 23 A. Right. The student thinks that</p>	<p style="text-align: right;">Page 57</p> <p>1 ask them? 2 A. No. 3 Q. Did you ask me if I have any 4 objection to them? 5 A. No. 6 Q. Why you did not ask me? 7 A. It's rare that a student would 8 agree that no pro- -- it -- that 9 unsatisfactory progress has been made. 10 I would not expect that you would agree 11 with that. 12 Q. Well -- 13 A. But I would expect that the 14 advisor on the dissertation had made 15 some kind of communication about lack of 16 progress. It is in the end the -- the 17 dissertation advisor who knows whether 18 progress is being made or progress is 19 not being made. 20 Q. Okay. Can you please look at 21 next page, page number 10 in that 22 Exhibit Number 3? 23 A. (Witness complies)</p>

15 (Pages 54 - 57)

<p style="text-align: right;">Page 58</p> <p>1 Q. Can you please explain what is 2 this email? 3 A. I -- I don't know. Can I read 4 it? 5 Q. Yes, please. 6 A. (Reviews document) The vice 7 president's faulty report. 8 Q. Can you please read from 9 beginning, so it is good to -- yeah -- 10 A. "Recently I have received a 11 false document from Dr. LeClair." Is 12 that -- 13 Q. Yes. Please continue. 14 A. Umm -- 15 MR. DYKES: How much do you 16 want her to read? The whole email? 17 MR. AMIRI: The -- the first 18 paragraph. 19 MR. DYKES: Okay. 20 A. "It seems that the document 21 is created due to the insecurity 22 aroused from the vice president's 23 faulty report. In that report,</p>	<p style="text-align: right;">Page 60</p> <p>1 BY MR. AMIRI: 2 Q. But you have received the 3 email? 4 A. And you say he is accused of 5 plagiarism and fabrication. Do you mean 6 by the vice president? 7 Q. Yes. 8 A. I haven't seen that report. I 9 will say that I was aware of 10 conversations between -- with the Office 11 of Research and your situation, but I 12 have not explored, investigated, or gone 13 near that in any way because that is not 14 my area, and so I -- I'm unaware of what 15 you said, what the vice president said, 16 what Patrick said. I haven't read those 17 documents, I don't have context, and I'm 18 very careful not to interpret from 19 documents I haven't read. So I would 20 not n- -- n- -- I would not draw a 21 conclusion from this paragraph of any 22 kind, positive, negative. I would not 23 draw a conclusion from this paragraph.</p>
<p style="text-align: right;">Page 59</p> <p>1 Dr. LeClair is accused of plagiarism 2 and fabrication. Obviously such a thing 3 has never been in my report. My report 4 for research misconduct is only against 5 Dr. Gupta. And it is a true claim, and 6 I will definitely prove all of the 7 claims, including plagiarism. The NSF 8 inspector general will handle this 9 case." 10 BY MR. AMIRI: 11 Q. Have you received this email? 12 A. I don't think so. 13 Q. Yes, the emails produced shows 14 that you have received this email. 15 A. Okay. 16 Q. So here I'm telling that 17 Vice President Carl Pinkert accused 18 Dr. LeClair on plagiarism based on my 19 report. This shows that Dr. LeClair 20 has a conflict of interest to make a 21 decision. Is this correct? 22 MR. DYKES: Object to the form. 23 A. I don't know.</p>	<p style="text-align: right;">Page 61</p> <p>1 Q. I see. 2 A. And I would not ask for the 3 report either. If I needed to know, I 4 would ask for the report and I would 5 study it. 6 Q. Okay. 7 A. But I never have asked for that 8 report, haven't seen the report, and 9 don't -- that wou- -- would interfere 10 with my job because this is not my area, 11 and so I have not sought or received any 12 details about what you accused them of, 13 what the investigation showed, what the 14 response was, or who was involved in it. 15 Q. Okay. So earlier you testified 16 that the only notification you received 17 from Physics Department was this email 18 change -- chain and the attachment that 19 was the recommendation. 20 A. That's correct. 21 Q. This is the same email chain, 22 so when you read that, that email chain 23 has had this email as well?</p>

16 (Pages 58 - 61)

<p style="text-align: right;">Page 62</p> <p>1 A. Hmm.</p> <p>2 Q. And this email clearly shows</p> <p>3 that Dr. LeClair is un- -- under</p> <p>4 investigation by Vice President Carl</p> <p>5 Pinkert. So when the chair of Physics</p> <p>6 Department --</p> <p>7 A. I -- I actually don't see that,</p> <p>8 but I s- -- I understand what you're</p> <p>9 saying.</p> <p>10 Q. Here on --</p> <p>11 A. Yeah.</p> <p>12 Q. -- the first paragraph you</p> <p>13 read.</p> <p>14 A. It says that he is under</p> <p>15 investigation?</p> <p>16 Q. He's -- he's --</p> <p>17 A. I mean, no, this is the first</p> <p>18 time I'm hearing that there is an in- --</p> <p>19 under investigation. This is so not my</p> <p>20 area, so I don't interpret this. I --</p> <p>21 Q. But --</p> <p>22 A. -- trust that, if the Office of</p> <p>23 Research has been involved, that they</p>	<p style="text-align: right;">Page 64</p> <p>1 investigating Dr. LeClair. So I am just</p> <p>2 putting an objection on the record.</p> <p>3 That's all I was doing.</p> <p>4 MR. AMIRI: Okay.</p> <p>5 BY MR. AMIRI:</p> <p>6 Q. So Dr. -- vice president was</p> <p>7 investigating research misconduct, and</p> <p>8 he come to the point that Dr. LeClair</p> <p>9 has plagiarized as well.</p> <p>10 MR. DYKES: Object to the form.</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. And then Dr. LeClair is trying</p> <p>13 to dismiss the student whose work was</p> <p>14 plagiarized, and you collaborated with</p> <p>15 Dr. LeClair, and the Pinkert</p> <p>16 investigation failed. This is my side</p> <p>17 of the story; this is my position.</p> <p>18 So, if you was not</p> <p>19 collaborating with Dr. LeClair, the</p> <p>20 Pinkert investigation was going to reach</p> <p>21 to a result. But, since you started</p> <p>22 supporting Dr. LeClair, and, based on</p> <p>23 your letters, there was some police</p>
<p style="text-align: right;">Page 63</p> <p>1 are taking care of any issue that I</p> <p>2 would need to know about, and I would</p> <p>3 hear from them if any of this impacted</p> <p>4 my area of responsibility.</p> <p>5 Q. The Office of Vice President is</p> <p>6 conducting an investigation against</p> <p>7 Dr. Patrick LeClair.</p> <p>8 MR. DYKES: Object to the form.</p> <p>9 MR. AMIRI: I'm not -- I didn't</p> <p>10 ask a question to be a form.</p> <p>11 MR. DYKES: Well, but --</p> <p>12 MR. AMIRI: I'm explaining the</p> <p>13 situation, and then I will ask a</p> <p>14 question.</p> <p>15 MR. DYKES: I'm objecting, one,</p> <p>16 you've -- to your interpretation of the</p> <p>17 document. I'm just putting an objection</p> <p>18 on the record.</p> <p>19 MR. AMIRI: No, it isn't about</p> <p>20 the document. I'm telling the -- what</p> <p>21 was there.</p> <p>22 MR. DYKES: No, you're saying</p> <p>23 that the -- that Dr. Pinkert is</p>	<p style="text-align: right;">Page 65</p> <p>1 operations; the Pinkert investigation</p> <p>2 was stopped.</p> <p>3 MR. DYKES: Object to the form.</p> <p>4 A. The Pinkert investigation was</p> <p>5 stopped?</p> <p>6 BY MR. AMIRI:</p> <p>7 Q. Yes. Because, as a result of</p> <p>8 this police operation, three professors</p> <p>9 was dismissed. Two Ph.D. students was</p> <p>10 terminated. One of them -- I was</p> <p>11 terminated; the other one was kind of</p> <p>12 changed his direction totally, his</p> <p>13 dissertation --</p> <p>14 A. Hmm.</p> <p>15 Q. -- changed, and three</p> <p>16 professors was terminated, either as</p> <p>17 retirement or other form, and it was in</p> <p>18 this same time. It was in July 2017.</p> <p>19 If you was not adopting the</p> <p>20 recommendation of Dr. LeClair, it</p> <p>21 wouldn't happen.</p> <p>22 MR. DYKES: Object --</p> <p>23 A. If who wasn't --</p>

<p style="text-align: right;">Page 66</p> <p>1 MR. DYKES: -- object to the</p> <p>2 form.</p> <p>3 A. -- a- -- who -- who? If who</p> <p>4 wasn't adopting the recommendation of</p> <p>5 Dr. --</p> <p>6 BY MR. AMIRI:</p> <p>7 Q. Of Dr. LeClair --</p> <p>8 A. -- LeClair? Who?</p> <p>9 Q. -- yes.</p> <p>10 A. If who?</p> <p>11 Q. You -- you.</p> <p>12 A. I --</p> <p>13 Q. That Dr. --</p> <p>14 MR. DYKES: Are you -- are you</p> <p>15 trying to say that, as a result of her,</p> <p>16 there were three Ph.D. students who lost</p> <p>17 their -- who left the program and three</p> <p>18 people got fired and -- is that -- is</p> <p>19 that what you're saying? Is that -- I'm</p> <p>20 just trying to understand your question.</p> <p>21 MR. AMIRI: What I told is on</p> <p>22 the record.</p> <p>23 MR. DYKES: Okay.</p>	<p style="text-align: right;">Page 68</p> <p>1 same email chain.</p> <p>2 A. I knew that you were objecting</p> <p>3 to the conclusion that the committee</p> <p>4 reached. Most students do object to the</p> <p>5 conclusion that a committee reaches when</p> <p>6 it's unfavorable.</p> <p>7 Q. Can you please read the second</p> <p>8 paragraph of this letter?</p> <p>9 A. "From these five people who</p> <p>10 have signed the false document,</p> <p>11 Dr. Okada is on my dissertation</p> <p>12 committee. But the other four people do</p> <p>13 not have any information about my</p> <p>14 research, or basically they don't know</p> <p>15 anything about me. And I don't know</p> <p>16 them as well. But, based on my general</p> <p>17 information, all of these people are</p> <p>18 decent people, and I have heard more or</p> <p>19 less positive things about them from</p> <p>20 their students. If they can sign a</p> <p>21 document without having enough</p> <p>22 information about the content, what the</p> <p>23 rest of the people can do?"</p>
<p style="text-align: right;">Page 67</p> <p>1 THE WITNESS: I didn't</p> <p>2 understand it either.</p> <p>3 BY MR. AMIRI:</p> <p>4 Q. Okay. Let me -- let's read</p> <p>5 this email.</p> <p>6 A. I mean, I didn't understand if</p> <p>7 there was a question for me.</p> <p>8 Q. Yes. Let me ask in smaller</p> <p>9 questions.</p> <p>10 A. Yeah.</p> <p>11 Q. So this email chain that you</p> <p>12 received and you are seeing it as a</p> <p>13 notification from Physics Department,</p> <p>14 this same email chain has my objection</p> <p>15 to the letter and to the recommendation.</p> <p>16 I objected to the graduate support</p> <p>17 status, and I objected to the</p> <p>18 recommendation, and you received it in</p> <p>19 the same time when they forward it to</p> <p>20 you. All the email chain was complete.</p> <p>21 So why you read the part that</p> <p>22 Dr. LeClair wrote and you didn't read</p> <p>23 the part that I wrote? It was in the</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. So is it understandable</p> <p>2 statement?</p> <p>3 A. I understand your view of --</p> <p>4 yes, your view is clear from that</p> <p>5 paragraph.</p> <p>6 Q. I'm -- I'm not objecting to</p> <p>7 those people. I'm saying they are</p> <p>8 totally stranger to me. I don't know</p> <p>9 them. They don't --</p> <p>10 A. That is what you are --</p> <p>11 Q. -- and they are astronomers --</p> <p>12 A. -- saying, and you are saying</p> <p>13 that they don't have any information</p> <p>14 about your research.</p> <p>15 Q. Yes. But I have a dissertation</p> <p>16 committee and all of the people in my</p> <p>17 dissertation committee are very</p> <p>18 well-known professors. Why you should</p> <p>19 adopt a recommendation from a group of</p> <p>20 people who doesn't have qualifications?</p> <p>21 They don't know me; they cannot</p> <p>22 understand my research. And you don- --</p> <p>23 you didn't ask my dissertation</p>

18 (Pages 66 - 69)

<p style="text-align: right;">Page 70</p> <p>1 committee, who all of them was -- or 2 five of them was working on condensed 3 matter physics. 4 One of them was the director of 5 Microfa- -- fabrication Facility, 6 Dr. Subhadra, so. The other was vice 7 director of the MINT Center, Dr. Arunava 8 Gupta. The other is Dr. LeClair, chair 9 of Physics Department. The other is 10 Sarker Sanjoy, who was the principal 11 investigator of the NSF project. The 12 fifth one is Dr. Gary Mankey, who was 13 the graduate director for four years and 14 recently was -- changed his position. 15 So all these five people was 16 working on condensed matter physics, 17 which is my specialty. It is about 18 computer sciences, material sciences. 19 It -- 20 A. Sure. 21 Q. -- has nothing about astronomy. 22 And these people who signed the 23 document, even a person with high school</p>	<p style="text-align: right;">Page 72</p> <p>1 on what evidence they gather to arrive 2 to a conclusion. I can tell you how 3 such committees generally operate, but I 4 have not asked them, and so I -- I -- 5 I'm concerned that -- that you would 6 assume I have more knowledge than I do 7 about how that committee operates. But 8 I can tell you how such committees 9 generally operate. 10 BY MR. AMIRI: 11 Q. You can go ahead and explain 12 it, please. 13 A. Often when decision are made 14 about reviewing a student's progress, a 15 single group reviews all of the students 16 in the department. There is input from 17 the director. In my own past -- this 18 would be better if I -- if I talk about 19 my experience -- such a committee asks 20 each director of students at a certain 21 point in their career, "What is the 22 progress?" And then that committee 23 looks at the progress and makes</p>
<p style="text-align: right;">Page 71</p> <p>1 information does understand that 2 astronomer doesn't know much about 3 material science. The condensed matter 4 is material science. It is about 5 computer technology, how we can make 6 transistor chips -- 7 A. Um-hum. 8 Q. -- those kind of stuff. And I 9 clearly explained to you that these 10 people who signed the document, they are 11 not in my dissertation committee. I 12 don't know them; they don't know me. 13 And I showed to you that I don't have 14 any personal problem. I told you that 15 more or less they are decent people, but 16 I don't know them. So how you can adopt 17 their -- their recommendation when I 18 clearly showed that they don't qualify 19 to make this recommendation? 20 A. I -- 21 MR. DYKES: Object to the form. 22 Go ahead. 23 A. -- have not asked the committee</p>	<p style="text-align: right;">Page 73</p> <p>1 decisions. The reason that it's a 2 separate committee and it is not unusual 3 that you would not know them and that 4 they would not be in your subarea of 5 specialization is because it brings a 6 level of evenness and objectivity to 7 what is a life-changing decision. So 8 one would not want different students 9 treated in different ways based on 10 anything subjective. It's an attempt to 11 be objective, to be one distance 12 removed, and make decisions. The 13 sixth-year decision is simple from that 14 committee's perspective, even though it 15 is life changing and so important. The 16 question is, based on the progress so 17 far, is the student likely to finish 18 within the legal time frame of seven 19 years? "Yes" or "no"? And they look at 20 whatever information they look at -- and 21 I -- tha- -- this is the part that I 22 don't know, so I'm the wrong person to 23 ask this question to. Based on what</p>

<p style="text-align: right;">Page 74</p> <p>1 they have in front of them, they make a 2 decision, and they attempt to be 3 evenhanded in the way that they assess 4 this, so that they're using a similar 5 rubric for all students. So you're 6 saying that they -- they should be 7 specialists in your subarea, and I'm 8 saying that such a decision has more 9 validity by being one step removed from 10 the content of the dissertation to the 11 question "Is there progress? Is the 12 progress satisfactory? Is the progress 13 sufficient? Is the student likely to 14 finish in seven years?" This is year 15 six, so there is one year left. "Is the 16 student going to finish?" The committee 17 is large, again, to add to the 18 objectivity. So there are multiple 19 people at the table with experience with 20 multiple students. 21 I can tell you that I know very 22 little about your subject area, but I 23 could very comfortably sit on such a</p>	<p style="text-align: right;">Page 76</p> <p>1 MR. DYKES: Before -- can -- 2 can we take a -- we've been going about 3 an hour, and I do need to go to the rest 4 room. 5 MR. AMIRI: Just give -- give 6 us five more minutes and then -- 7 MR. DYKES: Okay. 8 BY MR. AMIRI: 9 Q. So here -- 10 MR. DYKES: That's fine. 11 BY MR. AMIRI: 12 Q. -- what you explain is in 13 general or it is applies to Physics 14 Department? 15 A. That is in general. 16 Q. Does it apply to all 17 universities, or it is in the University 18 of Alabama? 19 A. I don't think I could answer 20 that. 21 Q. I mean, how general it is? Is 22 it general statement for most of the 23 universities or it is only for the</p>
<p style="text-align: right;">Page 75</p> <p>1 committee, because the questions are the 2 same for every student in every academic 3 field. "Has there been progress? Tell 4 me about the progress. Is the student 5 likely to finish within the time frame, 6 based on the history? How are we doing 7 here? Is everything moving forward?" 8 Q. Very good. 9 A. "Is this a successful student?" 10 Q. Yes, very good. 11 A. So then that -- 12 Q. I understand. 13 A. -- committee makes a decision. 14 And, again, they try to be fair. They 15 try to be even. They try to be 16 objective, and -- 17 Q. But -- 18 A. -- so -- 19 Q. -- but this is your judgment, 20 yeah. So -- so -- 21 A. My judgment? 22 Q. -- what -- what -- yeah. 23 Let -- let us get -- I mean --</p>	<p style="text-align: right;">Page 77</p> <p>1 University of Alabama? 2 A. It is not only in the 3 University of Alabama. 4 Q. So it is more general -- it 5 is -- 6 A. It is more general. 7 Q. So it is not specific to my 8 case? 9 A. No. So when I saw the 10 document, it fits the paradigm I know -- 11 Q. Um-hum. 12 A. -- which is that a committee, 13 that is fairly large and considered 14 within the department to be 15 representative, has assessed the 16 progress, made a recommendation, so this 17 is consonant with how such decisions are 18 generally made. 19 Q. So this is your general 20 concept; it is not -- 21 A. That is correct. 22 Q. -- the specific fact? 23 A. That is correct.</p>

<p style="text-align: right;">Page 78</p> <p>1 MR. AMIRI: Okay. We can take 2 a break. 3 VIDEOGRAPHER: We are going off 4 the record at 10:10. 5 (A BREAK WAS TAKEN) 6 VIDEOGRAPHER: This begins 7 media unit 2. We're back on the record 8 at 10:22. 9 BY MR. AMIRI: 10 Q. And let's -- let's continue 11 from where we left. 12 A. Where was that? The -- 13 Q. The last -- 14 A. -- email. 15 Q. -- page of Exhibit Number 3. 16 I- -- 17 A. This is your email -- 18 Q. Yes. 19 A. -- to Robert Olin, yes. 20 Q. Yes. This is the reply of the 21 email that I received from Dr. LeClair 22 about graduate support status. I 23 appealed it to Robert Olin. I forwarded</p>	<p style="text-align: right;">Page 80</p> <p>1 they have to give their reasons for 2 their actions. And naturally they will 3 see the consequences of their unethical 4 action." 5 Q. Yes. Have you read this 6 statement before? 7 A. Yes. 8 Q. So you have seen this -- 9 A. Yes -- 10 Q. -- email? 11 A. -- I remember that paragraph, 12 yes. 13 Q. Yes. You previously in- -- I 14 mean -- 15 A. I did not remember the first 16 paragraph, I did not remember that, but 17 I -- I -- I intentionally try not to get 18 involved in something -- 19 Q. Yes. 20 A. -- that is an investigation, so 21 I did not remember that. But I have -- 22 I do remember the third paragraph 23 because I was -- that paragraph</p>
<p style="text-align: right;">Page 79</p> <p>1 it to dean of Art and Science. This is 2 the email, but I copied Dr. LeClair as 3 well, Dr. Han, and Dr. Henderson. So I 4 copied everybody who was involved, but I 5 appealed it to Dr. Robert Olin. 6 You read -- you read the first 7 and second paragraph of this. Can you 8 please read the third paragraph? 9 A. "I know Dr. LeClair, probably 10 better than all of you. And he knows me 11 as well. Patrick has great leadership 12 skills and can make a group of people to 13 do something he wants to be done. But 14 creating this kind of false documents is 15 not a part of his personality. There 16 are other people behind this document, 17 which their name or signature is not in 18 the document. These people spend a lot 19 of time for these kind of things and are 20 less effective in scientific works. But 21 I don't want to fight with the Shadow. 22 And I think the people who signed this 23 document should be held responsible and</p>	<p style="text-align: right;">Page 81</p> <p>1 concerned my area of responsibility in 2 my work. 3 Q. I see. And you take a small 4 break and you go out and -- 5 MR. DYKES: All right. 6 BY MR. AMIRI: 7 Q. -- come back (indiscernible) -- 8 MR. DYKES: I -- I'm going to 9 object. 10 MR. AMIRI: Yes. 11 MR. DYKES: That's 12 insinuating -- I can tell you we didn't 13 talk about the email. 14 MR. AMIRI: Yes. 15 MR. DYKES: And if you want to 16 do something to file with the court and 17 address if you think that I have coached 18 my witness, you do it, but I take that 19 very seriously. I don't do that. And 20 you saw the documents were left here. 21 You saw us outside. We didn't have any 22 documents. So make those allegations -- 23 you -- those are very serious, so you</p>

<p style="text-align: right;">Page 82</p> <p>1 better have something to support that, 2 and you don't because it didn't happen. 3 MR. AMIRI: Which sentence I 4 told that you are that much concerned? 5 MR. DYKES: What I'm concerned 6 is what you have accused me of is going 7 out there and coaching my witness on 8 what to say. 9 MR. AMIRI: Did I use the 10 word -- 11 MR. DYKES: Yo- -- 12 MR. AMIRI: -- "coach"? 13 MR. DYKES: -- you said 14 you've -- and you've been out with your 15 lawyer on a break, so that insinuates 16 coach. So, we talked, which I can talk 17 to my witness. We didn't talk about the 18 email, and I have not in any way told 19 her anything to say, so. 20 MR. AMIRI: Well, if I want to 21 make such an allegation, I do it in the 22 form of a -- a summation later -- 23 MR. DYKES: Yeah.</p>	<p style="text-align: right;">Page 84</p> <p>1 my ethical -- ethical obligations very 2 seriously. So I'm saying, don't accuse 3 me of that, unless you have something to 4 back it up on -- 5 MR. AMIRI: Mr. Counsel -- 6 MR. DYKES: -- and you don't. 7 So I'm done sa- -- I'm done talking. Go 8 ahead. 9 MR. AMIRI: Mr. Counsel, would 10 you please let us continue deposition? 11 MR. DYKES: I just said I'm 12 done talking. Go ahead. 13 MR. AMIRI: And thank you -- 14 A. I don't -- 15 MR. AMIRI: -- for that. 16 A. -- remember that paragraph 17 because I took a break; I remember this 18 paragraph because I read it very 19 carefully at the time. 20 BY MR. AMIRI: 21 Q. I see. So this paragraph you 22 just read -- 23 A. Yes.</p>
<p style="text-align: right;">Page 83</p> <p>1 MR. AMIRI: -- on. Can you 2 please let us continue? 3 MR. DYKES: Well, don't -- 4 don't accuse me of wrongdoing -- 5 MR. AMIRI: I'm thinking 6 that -- 7 MR. DYKES: -- and expect me 8 not to -- 9 MR. AMIRI: -- you are -- 10 MR. DYKES: -- respond. 11 MR. AMIRI: -- attacking me. 12 COURT REPORTER: I -- I cannot 13 get two people talking at the same time. 14 MR. AMIRI: Yes. Yes, I'm 15 sorry. 16 COURT REPORTER: That's okay. 17 MR. AMIRI: Mr. Counsel, I'm 18 thinking you are trying to postpone 19 the -- I mean, you delay the deposition. 20 MR. DYKES: I'm not telling 21 her -- she can answer the question. I 22 just -- you insinuated that I was doing 23 something that is unethical, and I take</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. -- do you see there is any 2 threat in this paragraph, any bad 3 language, anything that is concern for 4 you? 5 A. It is a concerning paragraph to 6 me. It's ambiguous, and it could be 7 read as a threat or not a threat. But, 8 because it is ambiguous, I read it very 9 carefully. It caught my attention, and 10 it concerned me, because I didn't know 11 what you meant by these words. 12 Q. Well, I -- what I meant is 13 written there. 14 A. Well, no, the words can mean 15 many things, and this could mean one of 16 two things, and I wasn't comfortable 17 with the language because it could mean 18 one of two things. 19 Q. Um-hum. So what you did as a 20 consequence of reading this document? 21 Did you take any action based on this? 22 A. (Nods affirmatively) 23 Q. What you did?</p>

22 (Pages 82 - 85)

<p style="text-align: right;">Page 86</p> <p>1 A. I consulted with the person on 2 the campus who assesses threat because I 3 said -- I read this as a paragraph that 4 could mean one of two things. 5 Q. So what is that person? Who is 6 that person? 7 A. That's Charlie Dorsey. 8 Q. And what he told you? 9 A. He told me that the threat -- 10 he considered the threat to be low, and 11 I was relieved to hear that. I'm glad 12 to hear that. That's his job. It's my 13 job to ask and his job to assess. 14 Q. Is this the only thing you did? 15 A. I think it is. Did you have a 16 question that -- 17 Q. Well, your -- I am reporting to 18 you that there are some other people 19 behind this document, and you talked to 20 the police department, and they told you 21 that I'm credible person, the 22 possibility -- 23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 88</p> <p>1 picture? 2 A. It's a -- a man in a robe 3 carrying a scythe. 4 Q. Yes. It is called "Grim 5 Reaper." Is this true? 6 A. Possibly. 7 Q. So do you know who created 8 that? 9 A. He also carries an hourglass. 10 I thought it was Father Time. 11 Q. You had bigger -- 12 A. I don't know -- yes, I did, but 13 I don't -- but I don't know the image. 14 I don't recognize the image. 15 Q. So does that image create any 16 concern on you who created this image? 17 A. It did not. 18 Q. Why? 19 A. Because I -- I -- I don't draw 20 conclusions based on the image that in 21 itself is not threatening. I was much 22 more concerned with your paragraph than 23 I am with that drawing.</p>
<p style="text-align: right;">Page 87</p> <p>1 BY MR. AMIRI: 2 Q. -- of danger is low. Did you 3 verify that the other people who made 4 this document is there any problem from 5 their side? 6 A. I did not. 7 Q. Why? 8 A. Because they didn't present a 9 threat. 10 Q. But did you see the picture? 11 A. I did see the picture. 12 Q. Can you explain what is that 13 picture? 14 A. I cannot. 15 Q. Why? 16 A. I don't know what it is. 17 Q. You don't know what is the 18 picture? 19 A. I don't. 20 Q. And you have a small picture in 21 that page. 22 A. Yes. 23 Q. Can you tell me what is in the</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. So this image based on your -- 2 you are telling me that this image is 3 not threatening? 4 A. The image by itself -- the name 5 is "The Shadow." That's more 6 threatening than the image. 7 Q. Well, so -- 8 A. I -- I don't think I would draw 9 a conclusion on this image. 10 Q. But you did not do any 11 investigation on the person who created 12 this image? 13 A. No, that would definitely not 14 be my job. 15 Q. So whose job is that? 16 MR. DYKES: Object to the form. 17 A. I would ask Charlie Dorsey 18 whose job that is. I don't know if it's 19 Charlie Dorsey's job, or if Charlie 20 Dorsey would trigger an investigation, 21 but it would not be my job. 22 BY MR. AMIRI: 23 Q. So you receive an email that</p>

<p style="text-align: right;">Page 90</p> <p>1 shows there is a conflict between a 2 graduate student and a professor, or a 3 group of professors, and your job is 4 only to assess the student and not the 5 professor. Is this correct? 6 MR. DYKES: Object to the form. 7 A. I make sure that the s- -- 8 professors have followed a process that 9 has been codified. That's my job. And 10 I did do that. I didn't simply believe 11 them. I checked to make sure that they 12 had followed a process. 13 Q. Can you tell me what is that 14 process? 15 A. The process is that the 16 committee makes a recommendation that 17 does -- is aligned with criteria that 18 are laid out in the handbook, the 19 department handbook, so the student is 20 aware of the criteria that are being 21 used. 22 Q. No. We are not talking 23 about -- you are changing subject.</p>	<p style="text-align: right;">Page 92</p> <p>1 the appropriate people, who would 2 investigate if they -- if it would be 3 appropriate to investigate. It's not 4 something I would ever investigate, who 5 created the -- 6 Q. Can you please -- 7 A. -- image. 8 Q. -- read the last paragraph? 9 A. "Finally, I have attached a 10 picture of a piece of art to this email. 11 Usually these artworks are erased in a 12 couple of days. But this special 13 artwork was untouched for more than five 14 months in fall 2015 and spring 2016. I 15 have some other artworks of this artist, 16 which will be presented later on in the 17 right time." 18 Q. So this doesn't create any 19 concern with you? 20 A. I don't know what that 21 paragraph means. 22 Q. Which part you don't know what 23 it means? Can you explain it?</p>
<p style="text-align: right;">Page 91</p> <p>1 MR. DYKES: No, she's answering 2 your question. 3 MR. AMIRI: No. 4 A. You asked what I did. That is 5 what -- 6 BY MR. AMIRI: 7 Q. Yes, what -- 8 A. -- I did. 9 Q. -- you did about professor who 10 created this image. 11 A. I don't know who created the 12 image. 13 Q. The name is all there. It is 14 Gary Mankey. 15 A. I see that -- that this picture 16 is under a sign with his name, but I 17 wouldn't assume that he created the 18 image. Someone walking by could create 19 the image. You could create the image. 20 I don't know who created the image. 21 Q. Did you do any investigation to 22 find out who created the image? 23 A. No. My job is to consult with</p>	<p style="text-align: right;">Page 93</p> <p>1 A. "Usually these artworks are 2 erased." I don't know what that means, 3 what genre of artworks these are. "This 4 special artwork was untouched for more 5 than five months." I don't know why -- 6 I don't know what you -- what you are 7 implying by that observation. It's 8 "fall 2015 and spring 2016," I don't 9 know what that time period has to do 10 with what we're talking about. "I have 11 some other artworks." I don't know if 12 you took pictures or if you have 13 artworks. "Which will be presented 14 later on in the right time," I don't 15 know what that means. So no part of 16 this is clear to me in terms of -- of 17 the relevance or -- or what you intend 18 to communicate by that. None of it is 19 clear. 20 Q. Yes, what I am communicating is 21 clear. A group of professors get 22 together and created a contingent 23 recommendation, and the chair of Physics</p>

<p style="text-align: right;">Page 94</p> <p>1 Department created that recommendation 2 to me one month -- almost one month 3 later. And I appealed this action to 4 the dean of Art and Science, and I 5 explained to him that this is not the 6 only image they are making out of these 7 kind of images, which has improper 8 content, which is not -- it should not 9 be in the academic setting. We 10 shouldn't have Grim Reaper in academic 11 setting. We shouldn't have anything 12 that shows any kind of improper content. 13 But I told that they usually erase that. 14 But, in 2015 and '16, for five months, 15 they did not erase this, this image. It 16 was meaningful. So do you think that 17 somebody should talk to me and say me -- 18 tell me, so what was the story? Why you 19 are objecting this to grievance 20 procedure? Why you are telling it to 21 the higher authorities that there is 22 something wrong in this situation? 23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 96</p> <p>1 I not editing your email for clarity. If 2 you ask me something, I act on it. If 3 there is some action I should take that 4 I needed clarification on, I would ask. 5 But this is a kind of 6 insinuation made by a student who's 7 being dismissed from a program, who is 8 not saying that something should be 9 done, an action should be taken. I can 10 go back to the fact that -- that we have 11 a grievance process. 12 Q. Which is Dr. Robert Olin, the 13 highest authority who does the 14 grievance -- 15 A. We don't start with the highest 16 authority. We start -- we have a very 17 defined grievance process. And sending 18 a picture of hallway art to the dean of 19 the college goes against everything we 20 try to do with the grievance process, 21 which is to -- 22 Q. Do you know -- 23 A. -- handle situations --</p>
<p style="text-align: right;">Page 95</p> <p>1 A. No. 2 BY MR. AMIRI: 3 Q. Why "no"? 4 A. Because if -- if there were 5 something that you're trying to 6 communicate, then the student should say 7 it. 8 Q. What do you mean by "say it"? 9 I wrote the email. 10 A. These are very vague sentences. 11 What is it you're trying to -- 12 Q. So, if -- 13 A. -- say? 14 Q. -- if the sentence is vague, 15 you should ask for clarification. You 16 should reply to the email, tell me, 17 "Here this sentence is vague. Here this 18 sentence is vague. Explain," and I 19 would explain more. But nobody replied 20 to this. 21 A. I would never do that. 22 Q. Why you never do that? 23 A. Because I don't -- I'm -- I'm</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. -- if I followed -- 2 MR. DYKES: Would you please 3 let her finish her -- 4 MR. AMIRI: Yes. 5 MR. DYKES: -- answer? 6 BY MR. AMIRI: 7 Q. What i- -- please make your 8 statements of this. Go ahead. Go 9 ahead. You finish, and then I will ask 10 my question. 11 A. The grievance process is 12 designed to give the student an 13 opportunity to explain the perspective 14 at the right levels with the right 15 investigation, the right documentation, 16 one level at a time, and most students 17 find that process to be fair and 18 equitable. And this email is not in 19 that process, and so it's not an 20 allegation that I would act on. I would 21 say to a student who wrote this -- and 22 you know that this is not addressed to 23 me -- I would say, "Follow the grievance</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 process." That's what I would respond. 2 I wouldn't ask any questions. I 3 wouldn't draw any conclusions. I would 4 say to the author of this email, "Follow 5 the grievance process." 6 Q. Did you tell me that? 7 A. This email wasn't written to 8 me. 9 Q. Okay. Are you part of 10 grievance procedure? 11 A. I'm actually at the -- at 12 the -- beyond the college level, the 13 OAA, the Office of Academic Affairs 14 level. I would have been part of the 15 grievance process. But the grievance 16 process specifically involves not 17 skipping levels, so I would not skip a 18 level. I would say to the person who 19 wrote this email, "Follow the grievance 20 process." 21 Q. So the question is, are you 22 part of the grievance procedure? 23 A. I am at -- at the point that</p>	<p style="text-align: right;">Page 100</p> <p>1 steal my intellectual property. And I 2 went to Lisa Dorr. This is the first 3 step. Is this correct? 4 A. Yes. 5 Q. The second step is -- 6 A. Yeah, the first step is at the 7 department level, but sometimes people 8 talk with Lisa to understand the 9 process. 10 Q. Who is the highest in the 11 department? 12 A. The -- in the department? 13 Q. Yes. 14 A. The chair. 15 Q. The chair is trying to steal my 16 intellectual property. Then what is the 17 next step? 18 A. I'm -- I think -- I am unsure 19 about whether theft of intellectual 20 property would be handled through the 21 grievance process or through the Office 22 of Research -- 23 Q. But --</p>
<p style="text-align: right;">Page 99</p> <p>1 the grievance would come to me in the 2 chain. 3 Q. So you are familiar with the 4 grievance procedure? 5 A. I am familiar with it. 6 Q. And do you know in 2016, I 7 started the grievance procedure 8 step-by-step from the bottom, and I've 9 been up to Dr. Olin, Robert Olin? Do 10 you know that? 11 A. I did not remember that. If I 12 knew it, I don't remember it. Well -- 13 Q. But -- but, I mean, you are 14 telling me that I should follow 15 step-by-step. Yes? 16 A. Yes. 17 Q. And I'm telling you I did it 18 the previous year? 19 A. Were you grieving something 20 different than this -- 21 Q. No. It was the actions of 22 these professors who was not letting me 23 to graduate because they was trying to</p>	<p style="text-align: right;">Page 101</p> <p>1 A. -- Misconduct. 2 Q. No, not this step -- 3 A. I would ask that question. I 4 don't know the answer to that. I don't 5 know the answer to that. 6 Q. No, the question was, who is 7 the highest rank in the Department of 8 Physics? 9 A. The chair. 10 Q. If the chair has a misconduct, 11 which in this case he's not letting me 12 to graduate because he's trying to steal 13 my intellectual property, but the 14 misconduct is not stealing intellectual 15 property; the misconduct is that he's 16 not letting me to graduate. I'm ready 17 to graduate from 2015, and he's not 18 letting me to graduate. So what is the 19 grievance procedure in this matter? 20 A. That is a difficult question 21 because you can't disentangle the 22 academic grievance, which has to do with 23 graduation, from an accusation of</p>

26 (Pages 98 - 101)

<p style="text-align: right;">Page 102</p> <p>1 misconduct. You can't disentangle them. 2 In the sentence you just said presents a 3 very complex situation. 4 Q. I -- I'm not saying it is 5 simple situation. I'm telling what is 6 the procedure? 7 A. I would have to ask someone 8 that. This is what I'm saying. 9 You're -- you're asking something quite 10 complicated, and I don't know the 11 answer. 12 Q. But you told in the grievance 13 procedure, you are on top. So you know 14 the grievance procedure. 15 A. Situations are tricky, and this 16 one involves two things, an academic 17 grievance and an accusation of 18 misconduct, of research misconduct, the 19 intellectual property. So that I would 20 have to ask someone, "Are we handling 21 this through the grievance process, or 22 are we handling this through the office 23 of research investigation?"</p>	<p style="text-align: right;">Page 104</p> <p>1 students are treated fairly. 2 Q. Yes. But you didn't follow 3 that procedure. Let me tell you. In 4 2016 when I followed the grievance 5 procedure step by step, the only 6 accusation I put forward is that the 7 head of Physics Department is not 8 letting me to graduate. I did not put 9 any allegation of intelpro- -- 10 intellectual property, so it was only 11 about not letting me graduate, not 12 following the graduate handbook, not 13 following the graduate catalog, and I 14 only appealed that from the -- using the 15 grievance procedure. So you told me the 16 highest rank person in the Physics 17 Department is the chair of Physics 18 Department, Dr. LeClair. And 19 Dr. LeClair is not letting me to 20 graduate. Then I start grievance 21 procedure only for not letting me to 22 graduate. What was the next step? 23 MR. DYKES: Object to the form.</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. Well -- 2 A. I would ask that question, and 3 then I would understand. If -- if it's 4 purely a grievance, I know the process. 5 But what you have just said involves 6 something else, and in that -- 7 accusations about intellectual property 8 theft are not handled through the 9 grievance process. That's my point. So 10 once you bring that piece in, it's no 11 longer an issue that would be handled 12 through the grievance process. But your 13 dismissal from the program would be 14 handled through the grievance process. 15 When you bring in the question 16 intellectual theft, that has to be 17 investigated, and then the grievance 18 process can proceed once that is 19 resolved. Do you see? 20 Q. Yeah, I understand that. Very 21 good. 22 A. And -- and the reason that it's 23 set up that way is to make sure that</p>	<p style="text-align: right;">Page 105</p> <p>1 BY MR. AMIRI: 2 Q. What is the correct way of 3 starting grievance procedure? 4 A. I don't know. 5 Q. But you told you are in the 6 highest rank of grievance procedure and 7 you know the hierarchy. What is the 8 bottom of that hierarchy? 9 A. What is the bottom of the 10 hierarchy? 11 Q. Yes. Who is the first person 12 that a graduate student should go and 13 file a grievance procedure? 14 A. If the accusation is against 15 the chair, then the grievance would 16 start at the college level. 17 Q. So who is that person? 18 A. That might be Lisa Dorr; I'm 19 not sure. 20 Q. Yes, I -- I'm sure. It was 21 Lisa Dorr, and I've been to her, and I 22 filed a grievance procedure. What 23 happened next? Do you have any</p>

27 (Pages 102 - 105)

<p style="text-align: right;">Page 106</p> <p>1 information?</p> <p>2 A. I don't think so.</p> <p>3 Q. And then he reported this</p> <p>4 situation to Dr. Han, and I went to</p> <p>5 Dr. Han. And Dr. -- I talked to</p> <p>6 Dr. Han. I asked him to talk to</p> <p>7 Dr. LeClair and continue the grievance</p> <p>8 procedure. Do you know what he told me?</p> <p>9 A. No.</p> <p>10 Q. But you are working very</p> <p>11 closely with Dr. Han. You should know</p> <p>12 that. In my case, you had -- had a</p> <p>13 meeting with Dr. Han, didn't you have?</p> <p>14 A. I met with Dr. Han about the</p> <p>15 dismissal.</p> <p>16 Q. Well --</p> <p>17 A. I did not talk with Dr. Han</p> <p>18 in --</p> <p>19 MR. DYKES: 2016. Right?</p> <p>20 A. -- a year earlier --</p> <p>21 MR. DYKES: Is that when</p> <p>22 you're . . .</p> <p>23 MR. AMIRI: Please let us -- if</p>	<p style="text-align: right;">Page 108</p> <p>1 A. -- in 2016. What month?</p> <p>2 Q. I think you met with Dr. Han in</p> <p>3 June and July --</p> <p>4 A. 2017.</p> <p>5 Q. -- 2017. Yes.</p> <p>6 A. When was your -- yeah, when was</p> <p>7 your grievance? I only came in July</p> <p>8 2016.</p> <p>9 Q. Yes, it was -- the grievance</p> <p>10 procedure, whenever it was, if you</p> <p>11 talked to Dr. Han, he should pro- --</p> <p>12 provide you with some information about</p> <p>13 the past.</p> <p>14 A. He did not.</p> <p>15 Q. He did not tell anything?</p> <p>16 A. He did not.</p> <p>17 Q. Do you know why he didn't</p> <p>18 provide any information about this</p> <p>19 pro- -- problem that was?</p> <p>20 A. No.</p> <p>21 Q. So Dr. Han did not tell you</p> <p>22 that I followed the grievance procedure</p> <p>23 and I'm told that I'm ready to graduate;</p>
<p style="text-align: right;">Page 107</p> <p>1 you have ob- --</p> <p>2 MR. DYKES: I'm trying to</p> <p>3 understand --</p> <p>4 MR. AMIRI: -- objection --</p> <p>5 MR. DYKES: -- where your</p> <p>6 questions are. Are you talking about</p> <p>7 2016, or are you now talking about 2017?</p> <p>8 MR. AMIRI: You are distracting</p> <p>9 us. Please, if you don't have</p> <p>10 objection, let us continue.</p> <p>11 A. I have the same question. I --</p> <p>12 BY MR. AMIRI:</p> <p>13 Q. Yeah, yeah, you can --</p> <p>14 A. -- my -- my conversation --</p> <p>15 Q. -- ask me. That is fine.</p> <p>16 A. -- with Dr. Han about you --</p> <p>17 Q. So --</p> <p>18 A. -- was in 2017.</p> <p>19 Q. 2017.</p> <p>20 A. I was not --</p> <p>21 Q. When you are -- when you are --</p> <p>22 A. -- involved in any grievance --</p> <p>23 Q. -- sitting --</p>	<p style="text-align: right;">Page 109</p> <p>1 my advisor is not letting me to publish</p> <p>2 my papers and get graduate?</p> <p>3 A. I don't remember that.</p> <p>4 Q. Do you think I followed the</p> <p>5 right procedure as I am telling you?</p> <p>6 MR. DYKES: Object to the form.</p> <p>7 A. As you're telling it to me,</p> <p>8 there was this research intellectual</p> <p>9 property issue that would cloud the</p> <p>10 situation. So, if that was not in the</p> <p>11 picture, then you did follow the right</p> <p>12 procedure.</p> <p>13 BY MR. AMIRI:</p> <p>14 Q. It was not in the picture.</p> <p>15 A. If that is in the picture, it</p> <p>16 becomes more -- more murky.</p> <p>17 Q. No, it was not in the picture.</p> <p>18 In 2016 --</p> <p>19 A. Then it sounds to me, from what</p> <p>20 you've said, that you followed the</p> <p>21 correct procedure in 2016. But I don't</p> <p>22 have all the facts.</p> <p>23 Q. Yes.</p>

<p style="text-align: right;">Page 110</p> <p>1 A. But it does sound to me like 2 you followed the correct procedure. 3 Q. Yes. So I followed that -- 4 that correct procedure, but they didn't 5 let me to graduate. So what I could do? 6 A. In -- in 2016, what could you 7 do? 8 Q. Yes. 9 A. You could ask your directors 10 what you need to do to graduate and 11 then -- 12 Q. Can you please give the name of 13 the people? Can you explain a little 14 more clear I understand exactly what you 15 mean by -- by "director"? 16 A. I don't actually know if 17 Dr. LeClair was your only director of 18 your dissertation. Is he? 19 Q. In dissertation, we have 20 advisor. We have advisor -- 21 A. You have a chair of the 22 committee. 23 Q. Chairperson, yes.</p>	<p style="text-align: right;">Page 112</p> <p>1 people" -- Dr. LeClair and other 2 people -- "are my people; I trust them." 3 A. That was the official verdict? 4 Q. That was the ver- -- they 5 didn't give me -- 6 A. Or is that your version of -- 7 of the verdict? That's -- 8 Q. I have -- 9 A. -- the -- 10 Q. -- I have -- I have the voice 11 recording, but they didn't le- -- give 12 me a letter. Do you think that they 13 should give me a letter at the 14 conclusion of the grievance procedure? 15 A. I -- I would not speculate on 16 how that -- 17 Q. No, but in the -- 18 A. -- process was -- 19 Q. -- procedure? 20 A. -- going. I don't know the 21 circumstances there. The procedure 22 would generally be a decision, but I 23 don't know whether you-all stopped</p>
<p style="text-align: right;">Page 111</p> <p>1 A. Yes. 2 Q. Chairperson is advisor. 3 A. Okay. 4 Q. Yes. 5 A. (Nods affirmatively) 6 Q. So which other information do 7 you need for me to provide? 8 A. Sometimes there are -- there 9 are multiple directors of a project who 10 determine the direction, the shape that 11 the dissertation should take, and I 12 don't know what your committee structure 13 was. 14 Q. The question we are trying to 15 answer now is that I followed the 16 grievance procedure in -- 17 A. Um-hum. 18 Q. -- 2016 step by step, and the 19 only -- 20 A. What was the outcome? What was 21 the -- the final step in -- in that 22 grievance procedure? 23 Q. Dr. Han told me that, "These</p>	<p style="text-align: right;">Page 113</p> <p>1 before you got to that point. So I 2 wouldn't say that they were wrong 3 without a lot more information. 4 Q. No. I'm asking that the 5 procedure for grievance. 6 A. Sometimes the process stops. 7 Sometimes the student stops. Sometimes 8 the resolution is reached, and there's 9 no letter. 10 Q. So it is variable? 11 A. It can be. 12 Q. But I followed all the steps to 13 graduate. 14 A. What do you mean you followed 15 all the steps to graduate? 16 Q. I followed all the steps in the 17 grievance procedure to let me graduate, 18 to ask them to let me to graduate, but 19 they didn't -- 20 A. Do you mean to let you defend 21 your dissertation? 22 Q. Yes. 23 A. Because that's different.</p>

<p style="text-align: right;">Page 114</p> <p>1 Q. Yes. The only part that is 2 left is my dissertation defense. So -- 3 A. And your committee said the 4 dissertation is defensible? 5 Q. Yes. 6 A. They did? 7 Q. Yes. 8 A. What is defens- -- the -- I -- 9 I guess I would need more information. 10 I would ask a question about that. 11 Q. But you -- 12 A. But I'm not here to ask the 13 questions. 14 Q. But you -- you sent me the only 15 letter that I'm dismissed. The only 16 letter that actually I received from the 17 University is from you, so you should 18 have information. 19 A. I have the committee report. 20 I... 21 Q. But it is not the right 22 committee. The other committee, which 23 is the dissertation committee, is the</p>	<p style="text-align: right;">Page 116</p> <p>1 graduate, I'm ready to graduate. But -- 2 and I passed all of the dissertation 3 courses as well because you need to 4 take 24 credit hour for dissertation. 5 In addition to the coursework that I 6 have finished, by the end of 2015, I 7 finished 24 credit hour for 8 dissertation, but they deny my defense. 9 The Physics Department did not let me do 10 my defense. 11 A. They didn't let you schedule 12 the defense. 13 Q. Exactly. 14 A. And why is that? 15 Q. Why is that? 16 A. Usually it's because the 17 manuscript is judged deficient in some 18 way. 19 Q. What is the manuscript? 20 A. Do you have a dissertation? 21 Q. Based on the graduate handbook, 22 the student who is going to defend his 23 dissertation needs to submit his</p>
<p style="text-align: right;">Page 115</p> <p>1 right committee. 2 A. We already talked about that 3 earlier this morning. 4 Q. Yeah, but you are -- 5 A. Can I -- 6 Q. -- repeating the same thing. 7 A. I am, yes. 8 Q. So why you are repeating the 9 same thing? 10 A. Because it's what I know to be 11 true. 12 Q. So I passed all the courses -- 13 let me tell you the whole story. I 14 passed all the courses, so the 15 coursework I'm done. I started my 16 dissertation research in 2013, and I was 17 very, very successful. And, by the end 18 of 2015, I should be graduated. And my 19 dissertation committee, I just -- in 20 previous section, I told you that I have 21 five people who are condensed matter, 22 high-rank people in the University, and 23 they are thinking that I should</p>	<p style="text-align: right;">Page 117</p> <p>1 dissertation manuscript -- manuscript 2 two weeks prior to defense, so the 3 student should schedule his defense, and 4 he has time no later than two weeks 5 before defense itself, he should provide 6 the manuscript to the people who are in 7 the dissertation defense. 8 A. Minimum of two weeks. 9 Q. Yes. 10 A. A director can ask for more, 11 and the director has to agree that the 12 defense can be scheduled. 13 Q. Yes. 14 A. Um-hum. 15 Q. Director means the chair of the 16 Physics Department? 17 A. No, I mean the dir- -- it -- 18 the chair of the dissertation committee. 19 Q. Yes. He's Dr. Patrick LeClair. 20 It is the same -- 21 A. So -- 22 Q. -- so. 23 A. -- that person has to agree</p>

<p style="text-align: right;">Page 118</p> <p>1 that the dissertation is of sufficient 2 quality to proceed to a defense. 3 Q. Yes. And that person is not 4 agreeing. What I should do? 5 A. There is no recourse when a 6 director deems that a manuscript is not 7 defensible. 8 Q. There is no manus- -- it is not 9 necessary to have a manuscript, based on 10 the graduate catalog and graduate 11 handbook. 12 A. It i- -- 13 Q. You need to -- 14 A. What? 15 Q. You need to have -- you need to 16 pass 24 credit hours, then you schedule 17 your dissertation, and you submit your 18 manuscript two weeks before the defense. 19 A. Minimum of two weeks before the 20 defense. 21 Q. But nobody submits it much 22 longer than two weeks. 23 A. Okay.</p>	<p style="text-align: right;">Page 120</p> <p>1 the Physics Department? 2 MR. DYKES: Object to the form. 3 A. Yeah, I'd have to -- I'd have 4 to do some research on that. But I can 5 tell you that in 100 percent of Ph.D. 6 defenses, the committee has to approve 7 the manuscript. 8 BY MR. AMIRI: 9 Q. Well, I have the graduate 10 handbook. I will give you a copy of 11 that. 12 (PLAINTIFF'S EXHIBIT NO. 5 13 MARKED) 14 BY MR. AMIRI: 15 Q. Exhibit Number 5. Please show 16 me where it is. 17 THE WITNESS: Do you need this? 18 MR. DYKES: Yeah, no, I've -- 19 I've got the handbook, but thank you. 20 But take time to look through it. 21 A. (Reviews document) "Student 22 must keep his or her advisor fully" -- 23 I'm on page 13.</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. Then you do the -- the student 2 does the defense. 3 A. I think what you're -- what you 4 left out in that process is that the 5 chair of the dissertation committee 6 approves the dissertation for defense. 7 Q. The chair, if he doesn't 8 approve, the student who does the 9 defense will fail, but he still has to 10 have a defense. 11 A. No. 12 Q. Why? 13 A. The committee has to deem that 14 the dissertation is potentially 15 defensible before defense is scheduled. 16 Q. And if he deems it is not, 17 can the school deny the student for 18 defense? 19 A. Yes. It happens all the time. 20 Q. Where in the graduate catalog 21 or in the graduate handbook it is 22 written? Do you have that written in -- 23 somewhere in the graduate handbook of</p>	<p style="text-align: right;">Page 121</p> <p>1 BY MR. AMIRI: 2 Q. Yes. 3 A. "The student must keep his/her 4 advisor fully and regularly informed of 5 the progress of his/her research. 6 Failure to do so could result in the 7 dissertation not being approved." 8 Q. Yes. We was having weekly 9 meetings all the time. 10 A. And it was -- so the 11 dissertation has to be approved. 12 Q. But they did not approve it. 13 A. Ah. That is the crux of it. 14 Q. Can you explain more? 15 A. The advisors are in an 16 evaluative position over a doctoral 17 student. They have to approve that the 18 data is sound, that the methodology is 19 sound, that the writing is clear, that 20 the document is at the standard that 21 they require. The advisors have to 22 approve the dissertation. If they do 23 not approve, then they need to give</p>

<p style="text-align: right;">Page 122</p> <p>1 guidance to the student till the student 2 fixes the dissertation, or nothing goes 3 forward. The -- so this is a point 4 where there is often disagreement 5 between a student and the advisor. The 6 advisor says, "I don't see what I need 7 to see." Now, I don't know -- I did not 8 ask your advisor about the quality of 9 your work. That's the advisor's domain. 10 But if the advisor is not satisfied with 11 the quality of your work, the 12 dissertation does not move forward. 13 Q. So did you ask my advisor about 14 quality of my work or -- 15 A. I did not. 16 Q. Why you did not ask? What was 17 the reason that you didn't ask my 18 advisor about quality of my work? 19 A. Because I would not 20 second-guess your advisor about the 21 quality of your work. That is your 22 advisor's domain. 23 Q. But you did not ask?</p>	<p style="text-align: right;">Page 124</p> <p>1 a defense can proceed or cannot proceed. 2 It's not uncommon at that stage that an 3 advisor would say that the defense 4 cannot proceed until certain adjustments 5 are made to the manuscript or to the 6 data or to the conclusions. It's not 7 uncommon. 8 Q. But these -- 9 A. And the student makes changes. 10 A dissertation is an iterative process. 11 No student does their own work and 12 presents a defense without an evaluative 13 step by the advisor. 14 Q. Yes. Dr. Carvalho, we are 15 talking about a specific case, that is 16 my case. We are not talking about 17 general cases that is applying -- 18 A. Well, see, yeah, and that's one 19 of the issues, you know. I'm not on 20 your committee, I'm not in your 21 department, and so I only talk about 22 general issues. 23 Q. But --</p>
<p style="text-align: right;">Page 123</p> <p>1 A. I did not. That would be seen 2 as my second-guessing. 3 Q. Second -- 4 A. It -- it -- 5 Q. -- second-guessing what? 6 A. The quality of your work. I 7 trust that the advisor is the one who 8 knows whether the manuscript is 9 defensible -- 10 Q. So the -- 11 A. -- whether the quality of your 12 work is sufficient for the progress. 13 Q. So, if the advisor is thinking 14 that the quality of work is very high 15 and I can defense, can I defense? 16 MR. DYKES: Object to the form. 17 A. I would need more information. 18 BY MR. AMIRI: 19 Q. So what you was looking at that 20 handbook? 21 A. In my experience, the advisor 22 reads the dissertation and makes an 23 assessment of the quality and says that</p>	<p style="text-align: right;">Page 125</p> <p>1 A. So you're -- 2 Q. -- we are here, so please do 3 not talk about general issues. If you 4 don't know the answer about my specific 5 issue, tell, "I don't" -- say, "I don't 6 know." 7 A. I don't know. 8 Q. That is the best answer 9 because -- 10 A. Okay. 11 Q. -- we are -- we are -- 12 MR. DYKES: But then don't ask 13 her a follow-up question asking her to 14 explain or what she does know, because 15 when -- 16 THE WITNESS: Right. 17 MR. DYKES: -- she's gone into 18 those areas, it's been as a result of 19 your asking a question. 20 MR. AMIRI: I'm entitled to ask 21 the questions -- 22 MR. DYKES: Right. 23 MR. AMIRI: -- and you are</p>

<p style="text-align: right;">Page 126</p> <p>1 entitled to object.</p> <p>2 MR. DYKES: No, and --</p> <p>3 THE WITNESS: And --</p> <p>4 MR. DYKES: -- I'm just telling</p> <p>5 you --</p> <p>6 THE WITNESS: -- I --</p> <p>7 MR. DYKES: -- you've been --</p> <p>8 you've told my witness, "Don't tell</p> <p>9 what" -- you've instructed her to do</p> <p>10 something which you've been asking her</p> <p>11 questions that ask her to explain things</p> <p>12 to you. So, if you don't want her to</p> <p>13 answer those things, don't ask her.</p> <p>14 MR. AMIRI: No.</p> <p>15 BY MR. AMIRI:</p> <p>16 Q. I'm asking -- every question</p> <p>17 that I'm asking is about my case. I'm</p> <p>18 not talking about how the University</p> <p>19 should work. I'm not talking about</p> <p>20 general questions. So, from now on, any</p> <p>21 question I'm asking, please answer only</p> <p>22 about this case. If you know the</p> <p>23 answer, please tell that. If you don't</p>	<p style="text-align: right;">Page 128</p> <p>1 before I started the grievance</p> <p>2 procedure. Is it good courtesy time</p> <p>3 that I wait for one year, I gave them</p> <p>4 one more year, and then I started the</p> <p>5 grievance procedure requesting, "Please</p> <p>6 let me defend my dissertation." Is --</p> <p>7 did I follow the right steps or not?</p> <p>8 MR. DYKES: Object to the form.</p> <p>9 A. Yeah, I don't know. I can only</p> <p>10 speak generally about how the process</p> <p>11 works. I don't know in your situation.</p> <p>12 I wasn't involved, and I don't know.</p> <p>13 BY MR. AMIRI:</p> <p>14 Q. But you send me a letter for my</p> <p>15 dismissal from the --</p> <p>16 A. Well, yeah, I --</p> <p>17 Q. -- program.</p> <p>18 A. -- knew about that.</p> <p>19 Q. So why -- if you don't know,</p> <p>20 why you should send me letter for</p> <p>21 dismissal?</p> <p>22 MR. DYKES: Here's the problem</p> <p>23 with your instruction. You tell her you</p>
<p style="text-align: right;">Page 127</p> <p>1 know that, please you say, "I don't</p> <p>2 know."</p> <p>3 A. Well, this should speed up.</p> <p>4 Q. Yes, it is.</p> <p>5 A. All right.</p> <p>6 Q. Yeah, it is very good.</p> <p>7 A. Good.</p> <p>8 Q. So, as I told you, I was -- I</p> <p>9 requested that I should defend my</p> <p>10 dissertation because I passed all of my</p> <p>11 coursework, I passed 24 hour of credit</p> <p>12 for the dissertation research by the end</p> <p>13 of 2015, and, in that point, we</p> <p>14 scheduled that I should defend. But it</p> <p>15 did not happen. The Physics Department</p> <p>16 did not let me to defend. So why it did</p> <p>17 not happen?</p> <p>18 A. I don't know.</p> <p>19 Q. And in 2016, one year later, I</p> <p>20 started the grievance procedure, why</p> <p>21 they are not letting me to do my</p> <p>22 dissertation defense. Is it about the</p> <p>23 right time that I waited for one year</p>	<p style="text-align: right;">Page 129</p> <p>1 just want your -- it's about you.</p> <p>2 MR. AMIRI: Yes.</p> <p>3 MR. DYKES: But you can't</p> <p>4 address you without talking about how</p> <p>5 things operate at the University. So</p> <p>6 your question there asks her -- is</p> <p>7 goin- -- is going to require her to talk</p> <p>8 about things with the University, which</p> <p>9 you don't want her to do. So I'm -- I'm</p> <p>10 not s- --</p> <p>11 MR. AMIRI: Mr. Counsel, can I</p> <p>12 explain your -- can I answer you?</p> <p>13 MR. DYKES: Yes, that's fine.</p> <p>14 MR. AMIRI: I'm not -- I never</p> <p>15 asked her not to talk about the</p> <p>16 procedures in the University. I talked</p> <p>17 to her not to speak about the general</p> <p>18 person. If she's going to describe the</p> <p>19 procedures that are applicable to my</p> <p>20 specific case --</p> <p>21 MR. DYKES: Okay, then that's</p> <p>22 fine.</p> <p>23 MR. AMIRI: -- I want to hear</p>

<p style="text-align: right;">Page 130</p> <p>1 that.</p> <p>2 MR. DYKES: Okay. Good.</p> <p>3 MR. AMIRI: Okay.</p> <p>4 A. Are you asking me why I sent</p> <p>5 the letter of suspension?</p> <p>6 BY MR. AMIRI:</p> <p>7 Q. Yes.</p> <p>8 A. Again, I received the email</p> <p>9 from Dr. LeClair to you and the</p> <p>10 recommendation of the committee, which</p> <p>11 is their right to make, and I made sure</p> <p>12 that the process had been followed, and</p> <p>13 I issued the letter because that's what</p> <p>14 we do in such cases. When the</p> <p>15 department determines that progress,</p> <p>16 sufficient progress, is not being made,</p> <p>17 they have the right to dismiss a</p> <p>18 student. They did that. And then it's</p> <p>19 my job to put a registration hold on</p> <p>20 that student and send a letter notifying</p> <p>21 the student that we have done so.</p> <p>22 Q. Can you explain the steps that</p> <p>23 you took to make sure that the letter</p>	<p style="text-align: right;">Page 132</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. It -- it is page 8 of that</p> <p>3 exhibit.</p> <p>4 A. (Reviews document) The</p> <p>5 graduate advising faculty committee -- I</p> <p>6 wanted to use the correct term.</p> <p>7 Q. Yes.</p> <p>8 A. I received the email. I read</p> <p>9 the criteria. It referenced the</p> <p>10 Department of Physics Graduate Handbook.</p> <p>11 I looked at the Department of Physics</p> <p>12 Graduate Handbook, it was available</p> <p>13 online, and made sure that the criteria</p> <p>14 outlined there were clear and that they</p> <p>15 aligned with what the committee had</p> <p>16 determined. It's the committee's right</p> <p>17 to make the determination; it's my job</p> <p>18 to make sure that the criteria are</p> <p>19 clear.</p> <p>20 Q. So did you study the hand- --</p> <p>21 graduate handbook and you see that this</p> <p>22 graduate advising committee can make</p> <p>23 this determination. Is this correct?</p>
<p style="text-align: right;">Page 131</p> <p>1 you are sending me, the dismissal</p> <p>2 letter, is not based on the wrong</p> <p>3 information, it is based on correct</p> <p>4 information?</p> <p>5 MR. DYKES: We've gone through</p> <p>6 this like three times as to what she did</p> <p>7 already today.</p> <p>8 MR. AMIRI: Could you please</p> <p>9 let her answer.</p> <p>10 A. Do you want me to say it again?</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. Yes.</p> <p>13 A. I reviewed the letter from the</p> <p>14 committee.</p> <p>15 Q. But --</p> <p>16 A. This is the -- (Reviews</p> <p>17 documents) Let me find it again.</p> <p>18 THE WITNESS: Where's my</p> <p>19 letter?</p> <p>20 MR. DYKES: I think it's</p> <p>21 Exhibit 3, 8 and 9, I believe.</p> <p>22 THE WITNESS: So I can use the</p> <p>23 right name for the committee.</p>	<p style="text-align: right;">Page 133</p> <p>1 A. No.</p> <p>2 Q. So what you did when you looked</p> <p>3 up in the online -- you looked up for</p> <p>4 the graduate handbook? What do you look</p> <p>5 at in that?</p> <p>6 A. I looked at the section related</p> <p>7 to good academic standing, which</p> <p>8 is . . . Do you remember where that is?</p> <p>9 I can find it. There it is, 6, page 6.</p> <p>10 (Reviews document) No, that's not it.</p> <p>11 MR. DYKES: Page 4.</p> <p>12 THE WITNESS: That's it.</p> <p>13 A. Pages 4 and 5.</p> <p>14 BY MR. AMIRI:</p> <p>15 Q. Yes.</p> <p>16 A. The part of this that was</p> <p>17 determinative in my review was the</p> <p>18 bullet that says "make timely progress</p> <p>19 toward completing the research component</p> <p>20 of their degrees." You mentioned that</p> <p>21 you completed 24 hours of dissertation</p> <p>22 research, but that's not the</p> <p>23 requirement. The requirement is timely</p>

<p style="text-align: right;">Page 134</p> <p>1 progress toward completing the research 2 component of their degrees. The reason 3 that sixth-year review is done is 4 because the time limit is seven years, 5 so timely progress means that you will 6 finish in one more year. 7 Q. So I'm telling that, in 2015, I 8 made timely progress toward completing 9 the research component of my degree, and 10 I was ready to defend. 11 A. That is your view. 12 Q. And that is the view of my 13 dissertation committee members who are 14 in my special area. 15 A. I would need to ask -- 16 MR. DYKES: Object to the form. 17 A. -- them that. That is a point 18 that is often a disagreement between a 19 student and the faculty members. 20 BY MR. AMIRI: 21 Q. But we did not -- 22 A. That is -- 23 Q. -- disagree.</p>	<p style="text-align: right;">Page 136</p> <p>1 A. That they acted within their 2 bounds to make a determination, they 3 determined that timely progress was not 4 being made. 5 Q. Okay. 6 A. And they quoted that, 7 "demonstrated lack of progress." And I 8 look at this, "timely progress," and I 9 say, "Okay." That was their right. 10 Q. But they are astronomers and 11 they are particle physicists. They are 12 not -- 13 A. We've talked about this. 14 Q. Yes, that is the -- that is 15 that you are not answering. They are 16 not the peo- -- people who can make a 17 decision whether I'm making timely 18 progress toward completing the component 19 on -- of my research or not. The 20 correct -- 21 A. Are you asking me a question? 22 Q. No. I'm explaining to you, and 23 I will a- -- ask you a question about</p>
<p style="text-align: right;">Page 135</p> <p>1 A. I -- I would have to ask them 2 if you disagreed. 3 Q. But -- 4 A. I -- I understand that you 5 didn't disagree. I would ne- -- 6 Q. And they didn't disagree. 7 A. -- I would need to ask them 8 that. You -- you told me only to speak 9 about what I know. 10 Q. Yes. 11 A. I would not speculate that you 12 agreed with them -- 13 Q. Please do not speculate. 14 A. -- and that they agreed with 15 you. 16 Q. Yes. 17 A. I would have to ask them that. 18 It's -- it's a good question. 19 Q. Yes. The -- the question is 20 that, you look at this handbook, and you 21 decided that the procedure is followed 22 correctly. Is it that -- what you -- 23 what I understand?</p>	<p style="text-align: right;">Page 137</p> <p>1 that. 2 MR. DYKES: I object to his 3 explanation, so. 4 MR. AMIRI: Okay. 5 BY MR. AMIRI: 6 Q. It is the members of 7 dissertation committee who make a 8 determination whether I am making timely 9 progress or not. You cannot ask from 10 other committee who doesn't know me, how 11 they can de- -- come to that 12 determination. 13 A. Are you asking me a question? 14 Q. Yes. Why you trust in these 15 people that they can come to the 16 determination that I'm not making 17 progress? 18 A. Oh, I thought I explained that 19 in -- in good detail, and I can repeat 20 it, but it will be talking about general 21 policy and practice about how -- 22 Q. Please -- 23 A. -- students are --</p>

35 (Pages 134 - 137)

<p style="text-align: right;">Page 138</p> <p>1 Q. -- please speak about my 2 situation. 3 A. I have no idea. I don't know. 4 Q. In my situation, you don't know 5 why this happened? 6 A. That's correct. Yes. 7 MR. DYKES: If -- if it 8 requires you to give your background and 9 your knowledge to answer a question, 10 whether or not it relates specifically 11 to him, you need to give a complete 12 answer. 13 THE WITNESS: Right. 14 A. I -- I assume that I'm here 15 because I have some expertise in how 16 students progress through graduate 17 programs and how their progress is 18 assessed, how rigor is maintained, how 19 departments operate in their 20 education -- 21 BY MR. AMIRI: 22 Q. Yes. 23 A. -- of students. And so I've</p>	<p style="text-align: right;">Page 140</p> <p>1 better academic structure, why 2 departments operate in the way that they 3 do. 4 Q. Have they made such a decision 5 in the prior time for any other student? 6 A. I don't know. 7 Q. Yes, I know the answer. The 8 answer is "no." 9 A. I can tell you that other 10 departments have. 11 Q. But the Physics Department 12 doesn't have such a committee. 13 A. Hmm. 14 Q. In our department, the 15 dissertation committee is the only 16 reference who makes decisions about 17 progress and dissertation defense. 18 A. I guess I would ask you for 19 evidence of that, and I would ask them 20 for evidence of that, and . . . 21 Q. Did you ask from me or from 22 them for evidence about this -- 23 A. No.</p>
<p style="text-align: right;">Page 139</p> <p>1 explained why a committee that is 2 somewhat distant from the student's own 3 dissertation committee makes such a 4 weighty decision as whether a student 5 can continue in the program or not. One 6 step removed guarantees that all 7 students are treated evenly. 8 Q. Is this true in the Department 9 of Physics in the University of Alabama, 10 or it is your general concept? 11 A. I have seen no evidence that 12 the Department of Physics operates 13 differently than any other program in 14 this way. So -- 15 Q. You -- so -- so you are se -- 16 A. -- I watch. I see no evidence 17 that they are operating any differently. 18 Your question was, how can they make the 19 determination when they are not your 20 dissertation committee, and I've told 21 you why they are empowered to make that 22 determination and why it's better that 23 they make the determination, why it's a</p>	<p style="text-align: right;">Page 141</p> <p>1 Q. -- at the time you sent that 2 letter? 3 A. No, because it's standard 4 operating procedure. 5 Q. It is -- it is standard 6 operating procedure everywhere or in 7 some or in most cases? 8 A. I don't know. You're asking me 9 to speculate. 10 Q. No, I'm not asking you. I'm 11 telling you, is this the procedure in 12 the Department of Physics -- 13 A. I don't know. 14 Q. -- and Astronomy? 15 A. I don't know. But it is their 16 right, and it would be operating within 17 University procedure and practice to do 18 this. 19 Q. So basically you didn't have 20 information whether the graduate 21 advising committee can make such a 22 decision or not -- 23 MR. DYKES: Object to the form.</p>

<p style="text-align: right;">Page 142</p> <p>1 BY MR. AMIRI: 2 Q. -- in this specific case in 3 my -- in the Physics Department? 4 A. It is always the right of the 5 faculty to assess -- 6 Q. But which faculty? 7 A. -- a student's progress. 8 You're -- you're asking a question that 9 I would need more information to answer. 10 Q. Okay. Then let's continue. 11 Please look at Exhibit Number 3, page 3. 12 A. (Reviews document) 13 Q. Please let us start with page 2 14 of that. 15 A. Page 2. 16 Q. Yes. 17 A. Exhibit 3. 18 Q. Can you please read this email. 19 This is the email Dr. LeClair sent at 20 April 27, 2017, at 4:34 p.m. 21 A. "The graduate advising 22 committee needs to meet before 23 lunchtime on Monday to discuss an</p>	<p style="text-align: right;">Page 144</p> <p>1 improper language. 2 A. I said "ambiguous language." 3 Q. Ambiguous language. So which 4 kind of language it is using here? Can 5 you explain anything about this? 6 A. I would assume that -- that 7 there was a s- -- an issue that the 8 graduate advising committee needs to 9 meet and discuss. 10 Q. Yes. And it is serious and 11 urgent. Yes? 12 A. So then I would assume that it 13 relates to a student because that's 14 usually what is serious and urgent. If 15 it relates to some bureaucratic process, 16 it's not usually serious and urgent, it 17 could be, but I wouldn't draw a 18 conclusion that anything was improper, 19 only serious. 20 Q. Yes. It is serious. And what 21 about the last sentence, "I will brief 22 as many of you as I can on it 23 individually"?</p>
<p style="text-align: right;">Page 143</p> <p>1 urgent and serious matter. I will 2 brief as many of you as I can on it 3 individually." 4 Q. Yeah. Have you seen this 5 message -- email before? 6 A. No, I don't think so. If I 7 have, I don't remember it. 8 Q. What is your impression on 9 this? What is your understanding of 10 this email? 11 A. My understanding of this -- 12 you're -- 13 MR. DYKES: I'm going to object 14 to the form of the question. 15 A. -- asking me to speculate. 16 Right? 17 BY MR. AMIRI: 18 Q. No, just what -- 19 A. I -- I -- 20 Q. I mean, you read the other 21 email and you told that it was 22 threatening, for example. There was one 23 email that you read, and you say it is</p>	<p style="text-align: right;">Page 145</p> <p>1 A. I would assume that there's 2 background knowledge that they need. 3 Q. Yes. So it is about one 4 specific student? 5 A. Maybe. It could be multiple 6 students. It could be a group of 7 students. 8 Q. But -- but -- 9 A. But definitely I would assume 10 that it's about students. 11 Q. But when it is urgent and 12 serious matter and -- 13 MR. DYKES: All right. 14 Mr. Amiri -- 15 Q. -- he will -- 16 MR. DYKES: -- you've had the 17 opportunity to depose Dr. LeClair who 18 sent the email. 19 MR. AMIRI: But this is the 20 email that was forwarded to Dr. Car- -- 21 Carvalho. 22 MR. DYKES: Okay. Yeah, that 23 she test- -- okay.</p>

37 (Pages 142 - 145)

<p style="text-align: right;">Page 150</p> <p>1 Q. How it is?</p> <p>2 A. Because, as dean, it is not my</p> <p>3 role to second-guess the evaluative</p> <p>4 decisions of a department about student</p> <p>5 progress.</p> <p>6 Q. But I'm asking did you have</p> <p>7 enough information to make such a</p> <p>8 decision?</p> <p>9 A. I don't evaluate your progress,</p> <p>10 so more information would only put me in</p> <p>11 a position where I am evaluating your</p> <p>12 progress, but I -- I don't evaluate your</p> <p>13 progress.</p> <p>14 Q. Not my progress, but you can</p> <p>15 evaluate the validity of the document</p> <p>16 that you got from Physics Department.</p> <p>17 Did you try to validate that document?</p> <p>18 A. I validated the document</p> <p>19 against the Physics Graduate Handbook</p> <p>20 only.</p> <p>21 Q. But you studied -- I gave you</p> <p>22 the Physics Graduate Handbook, and you</p> <p>23 did not show anything specific that</p>	<p style="text-align: right;">Page 152</p> <p>1 A. I don't know.</p> <p>2 BY MR. AMIRI:</p> <p>3 Q. We have these meetings for a</p> <p>4 few years. We had these meetings until</p> <p>5 April 2017. What I know is that, if</p> <p>6 somebody doesn't make progress, he</p> <p>7 cannot take the time of the vice</p> <p>8 director of the MINT Center and the</p> <p>9 chair of Physics Department in a very</p> <p>10 continuous basis every week. In my</p> <p>11 understanding, if I don't make good</p> <p>12 progress for one month, two months,</p> <p>13 those professors does not come and sit</p> <p>14 with me to discuss my progress. Is this</p> <p>15 correct?</p> <p>16 MR. DYKES: Object to the form.</p> <p>17 A. I can only speak to general</p> <p>18 practice of how dissertations are</p> <p>19 directed.</p> <p>20 BY MR. AMIRI:</p> <p>21 Q. No, I'm sa- -- talking about</p> <p>22 what I'm telling you. So you --</p> <p>23 A. Well, I wasn't in the room --</p>
<p style="text-align: right;">Page 151</p> <p>1 shows you validated that. You just told</p> <p>2 that the student should make timely</p> <p>3 progress. And I told you that my</p> <p>4 dissertation committee agreed that I'm</p> <p>5 making very good progress. And, as a</p> <p>6 matter of fact, we -- we brought half a</p> <p>7 million dollar money from National</p> <p>8 Science Foundation based on my</p> <p>9 dissertation. So it was very</p> <p>10 successful. I discovered a new memory</p> <p>11 device, which is state of art, and some</p> <p>12 other university tried to steal that</p> <p>13 from me. So I was very successful. I</p> <p>14 had weekly meeting with my professors.</p> <p>15 And these professors, one of them was</p> <p>16 chair of Physics Department. The other</p> <p>17 was vice director of the MINT Center.</p> <p>18 And continuously we had weekly meetings.</p> <p>19 In this meeting, it is -- it was me and</p> <p>20 two professors. If you don't make good</p> <p>21 progress, these meetings would not last</p> <p>22 long. Is this correct?</p> <p>23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 153</p> <p>1 Q. -- you --</p> <p>2 A. -- so I can only talk about how</p> <p>3 dissertations are directed. That's all</p> <p>4 I can do.</p> <p>5 Q. You suppose what I'm telling</p> <p>6 you is correct because you don't have</p> <p>7 those information. If the information</p> <p>8 I'm telling you correct, is my</p> <p>9 conclusion correct or not?</p> <p>10 A. Yes.</p> <p>11 MR. DYKES: Again, that goes to</p> <p>12 general -- answer -- just -- I object to</p> <p>13 the form. If you can answer the</p> <p>14 question, answer the question.</p> <p>15 A. It is very common that a</p> <p>16 student thinks that progress is being</p> <p>17 made, but the directors, the chairs of</p> <p>18 the dissertation, do not agree with the</p> <p>19 direction of the work. So there is</p> <p>20 disagreement.</p> <p>21 BY MR. AMIRI:</p> <p>22 Q. But my professors --</p> <p>23 A. Disagreement --</p>

<p style="text-align: right;">Page 154</p> <p>1 Q. -- did not disagree. 2 A. Well, I would have to ask them. 3 So I would have to ask them that. You 4 are saying they didn't agree. My 5 assumption is that they did because they 6 said you weren't making timely progress. 7 And it's very common for there to be 8 disagreement on this issue. 9 Q. Yes. Please -- 10 A. So, but I only -- 11 Q. -- don't let -- let us not talk 12 about general. In this specific case -- 13 MR. DYKES: Then stop asking 14 her general questions. 15 THE WITNESS: Right. You're 16 a- -- you're -- 17 MR. AMIRI: No, I'm -- 18 THE WITNESS: -- you're -- 19 MR. DYKES: Okay? 20 MR. AMIRI: -- I'm -- 21 THE WITNESS: -- you're 22 telling -- 23 MR. AMIRI: -- asking --</p>	<p style="text-align: right;">Page 156</p> <p>1 Q. Then I'm giving you the 2 information and I'm asking you to 3 suppose that these information are 4 correct, so we can come to some 5 conclusion. Is it possible? 6 A. No. 7 Q. Why not? 8 A. Because there is seldom a 9 shared view of a student's progress 10 between the student and the directors. 11 Seldom. So -- 12 Q. So, if you -- 13 A. -- acting on what I know to be 14 true, which is that a student sees great 15 progress where often the directors would 16 like to see the work going in a 17 different direction, I would want to 18 hear the conversation. 19 I could perhaps adjudicate such 20 a conversation, if you were here and 21 they were here, and you said something 22 and they said something. I could draw 23 an opinion, I could draw a conclusion</p>
<p style="text-align: right;">Page 155</p> <p>1 THE WITNESS: -- me what 2 your -- 3 MR. AMIRI: -- specific 4 questions. 5 THE WITNESS: -- professors 6 think, and then you're asking me to make 7 a judgment on it. But you are telling 8 me what they think, and I would need to 9 hear it from them. 10 BY MR. AMIRI: 11 Q. Well -- 12 A. So you're asking me a question 13 that I cannot answer because you are 14 asking me to base it on what you tell me 15 they think. 16 Q. Well -- 17 MR. DYKES: I ditto what she 18 said. 19 BY MR. AMIRI: 20 Q. In this case, you do not have 21 the information in my specific case. Is 22 this correct? 23 A. That is correct.</p>	<p style="text-align: right;">Page 157</p> <p>1 based on having seen many, many, many 2 dissertations brought to fruition, and 3 many, many dissertations not brought to 4 fruition. 5 I could draw a conclusion, and 6 I could help you see each other's 7 perspective. But, without them here, I 8 can only hear you say that they agree 9 with you that you were making progress. 10 Q. Do you have any evidence or 11 any -- do you have any information that 12 my advisors was not satisfied with my 13 progress? 14 A. I do not. But I have the 15 statement of this committee that timely 16 progress was not being made. 17 Q. But I told that those committee 18 did not know me and I did not know them; 19 they just met in an urgent meeting to 20 discuss a serious matter, as you read 21 yourself, and they notified in a fourth 22 notice there were six of them. Five of 23 them signed the document, and one of</p>

40 (Pages 154 - 157)

<p style="text-align: right;">Page 158</p> <p>1 them did not sign. 2 A. I wonder . . . 3 Q. The one who did not sign was 4 Dr. San- -- Sar- -- Sarker Sanjoy, who 5 was terminated by the University two 6 months later -- 7 MR. DYKES: Object to the form. 8 BY MR. AMIRI: 9 Q. -- as retired. Yes, go ahead. 10 MR. DYKES: And we're -- we've 11 been going about an hour, so you can 12 answer, and then we need to take a 13 break. 14 THE WITNESS: Yeah. 15 A. So, I just wonder why I'm here 16 to answer questions about the committee 17 level work. It seems that -- 18 BY MR. AMIRI: 19 Q. Because you are the only person 20 who sent me a letter of dismissal. 21 A. But you -- all of our questions 22 are about the committee letter, not my 23 letter. And so, to understand what is</p>	<p style="text-align: right;">Page 160</p> <p>1 break. 2 MR. AMIRI: Let me five 3 minutes -- five more minutes. 4 BY MR. AMIRI: 5 Q. But the criteria that they 6 used, how you made sure that they used 7 the criteria? 8 MR. DYKES: We're -- 9 A. We have -- 10 MR. DYKES: -- we've been going 11 through -- we've -- you've -- 12 A. We have talked about this. 13 MR. DYKES: -- that question 14 has been asked a dozen times, so 15 we're -- we're going to take a break. 16 MR. AMIRI: Okay. No problem. 17 VIDEOGRAPHER: We are going off 18 the record at 11:31. 19 (A BREAK WAS TAKEN) 20 VIDEOGRAPHER: This begins 21 media unit number 3. We're back on the 22 record at 11:37. 23 (PLAINTIFF'S EXHIBIT NO. 6</p>
<p style="text-align: right;">Page 159</p> <p>1 behind the committee letter, you would 2 have to ask the people who were involved 3 at that level, at the committee letter, 4 what evidence they had on which to base 5 their determination that timely progress 6 is not being made. But it wouldn't be 7 from my level; it would be from them. 8 Q. So basic-- 9 A. So we would have to ask them 10 the -- these questions. These are not 11 questions I can answer. 12 Q. So basically you did not have 13 information about my specific case. You 14 just followed the procedure as a dean of 15 Graduate School. Is it correct? 16 MR. DYKES: Object to the form. 17 A. I ensured that the criteria 18 they used to evaluate you were in 19 alignment with the criteria as it's 20 spelled out in the department handbook, 21 to which you have access. 22 Q. But -- 23 MR. DYKES: Okay. Let's take a</p>	<p style="text-align: right;">Page 161</p> <p>1 MARKED) 2 MR. AMIRI: I will introduce 3 Exhibit Number 6. 4 MR. DYKES: Let me see that. 5 (Reviews document) 6 THE WITNESS: (Tenders 7 document) 8 BY MR. AMIRI: 9 Q. Can you please read the first 10 paragraph of this? 11 A. "Dear Mr. Amiri: The 12 information you submitted to the Office 13 of Research Compliance the week of April 14 24th for allegations of misconduct has 15 been carefully reviewed. The 16 information you provided was in support 17 of your allegations of plagiarism and 18 fabrications again--" -- "fabrication 19 against Dr. Arun Gupta and Dr. Patrick 20 LeClair. At this time, it has been 21 determined that the information provided 22 does not support claims of plagiarism 23 and fabrication. However, if you would</p>

41 (Pages 158 - 161)

<p style="text-align: right;">Page 162</p> <p>1 like to submit any additional 2 documentation related to this matter to 3 support your claim, I am willing to 4 review the additional information to 5 provide an assessment." 6 Q. Yes. This is the letter of 7 Dr. Pinkert to me, and he's telling that 8 I accused Dr. Arun Gupta and Dr. Patrick 9 LeClair of misconduct, and he's asking 10 me to submit any further documentation 11 if I have. The investigation is -- did 12 have other aspect. One aspect was this. 13 Can you please tell me what is the date 14 of that? 15 A. May 23rd, 2017. 16 Q. And I submitted those documents 17 on April 24th? 18 A. Yes. 19 Q. When the contingent document 20 was created, it was on April 28. So on 21 April 28, the Physics Department had 22 that serious and urgent matter. They 23 had a meeting, and they created the</p>	<p style="text-align: right;">Page 164</p> <p>1 Q. -- three day after I submit 2 these documents that proves that there 3 is allegation of misconduct. 4 A. Right. 5 Q. And they told there is an 6 urgent and serious matter, which is 7 possibly could be this matter. 8 A. Right. 9 Q. And they dismissed me. 10 Actually, they signed the doc- -- 11 recommendation document against me. 12 A. Right. 13 Q. So can you accept such a 14 document while the professor who created 15 that document is under investigation? 16 A. Can I -- can I draw a 17 conclusion based on -- 18 Q. Yes. 19 A. -- the context? 20 Q. You are welcome to do that. 21 A. I'm -- I'm seeing things that I 22 have not seen before, so you're asking 23 me to use my judgment to assess this, so</p>
<p style="text-align: right;">Page 163</p> <p>1 document to dismiss me. It is four days 2 after I submitted these documents to the 3 office of Vice President -- President 4 Carl Pinkert. Is this correct? 5 A. Yes. 6 Q. And when Dr. LeClair sent me 7 his letter, it was on May 26. Is it -- 8 it is three day after this letter. Do 9 you think that Dr. Patrick LeClair, 10 which I officially made allegation of 11 misconduct against him, can make a 12 decision about my status, or he should 13 not be allowed to do that? 14 MR. DYKES: Object to the form. 15 A. In the document -- that's not a 16 simple question. He asked the committee 17 to make a determination. He -- right? 18 BY MR. AMIRI: 19 Q. He met them individually. He 20 send them email -- we read that, that 21 there is a serious and urgent matter. 22 He send that email on 27 -- 23 A. Yes.</p>	<p style="text-align: right;">Page 165</p> <p>1 I'm going to -- but recognizing that 2 I'm -- I'm seeing these things for the 3 first time. In Exhibit 3 on page 4, 4 there's an email from Patrick LeClair to 5 Luoheng Han where he charges the 6 committee -- where he -- 7 Q. Yes. 8 A. -- says what the committee 9 charge is. 10 Q. Yes. 11 A. It seems valid to me that he 12 could charge the committee with what he 13 has charged them while he is under 14 investigation, because what he's asking 15 them is valid. He's asking them to make 16 valid judgments. He -- 17 Q. Are they correct people? 18 A. We've been through this. 19 Q. Okay. No problem. 20 A. So he is not acting on it. I 21 assume that the reason he waited to send 22 you the letter -- I knew there had been 23 a time delay there. I had no basis to</p>

<p style="text-align: right;">Page 166</p> <p>1 judge why there was a time delay. Was 2 he -- I would assume -- from this 3 chronology, not having had conversations 4 about this, and so, again, you're asking 5 me to use my analysis here on the spot 6 to make a -- a judgment -- that he was 7 waiting until that matter was closed 8 before deciding to act on the 9 recommendation. But, again, the 10 recommendation that was requested, as it 11 is described in this email, is valid, 12 and that committee is empowered to make 13 that determination. So the committee 14 made a determination that in -- 15 according to this charge, is valid. He 16 didn't act on it until later. By the 17 time he acted on it, I assume that this 18 matter was closed. 19 Q. No, it was not closed. 20 A. Okay. Well, as I -- you know, 21 I don't have that context. So -- 22 Q. So it was continuing. 23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 168</p> <p>1 about hypothetical situations, so -- so 2 that -- 3 Q. No, you -- you can -- you can 4 do that. 5 MR. AMIRI: Can we do that? 6 MR. DYKES: I'm going to object 7 to it. I mean, you can ask. 8 MR. AMIRI: Yes, so we can do 9 that. 10 MR. DYKES: I'll -- I'll 11 object. 12 And, if you can answer, you can 13 answer. 14 BY MR. AMIRI: 15 Q. You can assume that. If you 16 assume that Dr. LeClair is the only 17 decisionmaker, is his decision valid or 18 not? 19 MR. DYKES: Object to the form. 20 That's calling for speculation. 21 A. If he were the only 22 decisionmaker and there were no 23 committee involved, I would not assume</p>
<p style="text-align: right;">Page 167</p> <p>1 BY MR. AMIRI: 2 Q. Yes. As you see, and the 3 letter is long letter, but, even in the 4 first paragraph, he's asking me, "If you 5 have further document, we are interested 6 to study them." So it is not saying 7 that the matter is closed. So -- 8 MR. DYKES: Object -- 9 BY MR. AMIRI: 10 Q. -- so then there is an active 11 investigation against Dr. Patrick 12 LeClair. If he is the only 13 decisionmaker -- let's assume that he is 14 the only decisionmaker -- is his 15 decision credible or not? 16 MR. DYKES: Object to the form. 17 A. Yeah, you're -- you're -- there 18 are two suppositions there that aren't 19 valid. 20 BY MR. AMIRI: 21 Q. So let's suppose that that 22 recommendation -- 23 A. And you can't ask me</p>	<p style="text-align: right;">Page 169</p> <p>1 that to be sufficiently objective. But 2 when you bring a committee into the 3 decision process, a degree of 4 objectivity is attained that I would 5 find acceptable. Does that make sense? 6 BY MR. AMIRI: 7 Q. Very good. Yes. Then let's 8 ask this question. Dr. LeClair is the 9 chair of the Physics Department. He's a 10 professor. He knows this statement that 11 you just told. Is it plausible that he 12 wanted to ask from a committee to make a 13 recommendation, so it become more 14 validatable, more valid? 15 A. That would -- 16 MR. DYKES: Object to the form. 17 A. -- be the right and appropriate 18 thing to do, to bring a committee in who 19 is sufficiently removed from the 20 entanglement to make a decision based on 21 the progress of the student. 22 BY MR. AMIRI: 23 Q. But --</p>

<p style="text-align: right;">Page 170</p> <p>1 A. So I think that it was the 2 appropriate thing to do, to step back 3 and recuse himself. 4 Q. But the motivation is because 5 of this investigation, because it is 6 just -- 7 A. The motivation? 8 Q. To bring that committee in. 9 MR. DYKES: Object to the form. 10 BY MR. AMIRI: 11 Q. The reason that Dr. LeClair 12 asked that committee is the allegation 13 of misconduct against himself. 14 MR. DYKES: Object to the form. 15 A. I don't know, but even if it 16 were, he's turned it over to a 17 committee. 18 BY MR. AMIRI: 19 Q. Does -- 20 A. But you're in your sixth year, 21 so, if the timely progress was not being 22 made and he turns it over to a 23 committee, that is appropriate.</p>	<p style="text-align: right;">Page 172</p> <p>1 so I don't have any information about 2 how you were funded. Tha- -- that 3 wouldn't be my domain. I'm only 4 concerned about good academic standing 5 as it's defined in the handbook. 6 Q. Okay. That is as much as you 7 want to answer. That is -- let us 8 introduce the -- 9 MR. DYKES: Okay. I'm going to 10 object to the statement that "as much as 11 you want to answer." She answered your 12 question and said she doesn't know, so. 13 MR. AMIRI: Okay. That 14 is okay. 15 (PLAINTIFF'S EXHIBIT NO. 7 16 MARKED) 17 MR. AMIRI: I am introducing 18 Exhibit Number 7. 19 MR. DYKES: Can I see that? 20 THE WITNESS: (Tenders 21 document) 22 MR. DYKES: Thank you. 23 (Reviews document)</p>
<p style="text-align: right;">Page 171</p> <p>1 Q. And he turns it over to 2 committee just three days after 3 allegation of misconduct is provided to 4 the Vice President Carl A. Pinkert. 5 MR. DYKES: Object to the form. 6 BY MR. AMIRI: 7 Q. But still it is valu- -- I mean 8 it is valid? 9 A. I wouldn't draw a conclusion 10 based on that. It's also the end of the 11 semester. So, if any action is going to 12 be taken related to funding and 13 progress, it does have to be done before 14 the end of the semester. But I can -- I 15 can understand what you're saying, but I 16 wouldn't say that that's definitely the 17 case. 18 Q. So what is your information 19 about the funding? 20 A. I don't have any information 21 about the funding. My concerns are all 22 based on good academic standing as 23 defined in the Physics Handbook. So --</p>	<p style="text-align: right;">Page 173</p> <p>1 BY MR. AMIRI: 2 Q. This is the email you sent on 3 June 23rd, 2017, to Charles Dorsey. 4 A. (Nods affirmatively) 5 Q. Can you please explain who is 6 Charles Dors- -- Dorsey? 7 A. He is the director of the 8 Office of Threat Assessment. 9 Q. Can you give some more 10 information what he does? 11 A. When anyone in the University 12 is concerned about a situation involving 13 a threat, they -- they are wise to 14 consult with Charlie Dorsey, who's -- 15 who has expertise in assessing whether 16 the threat is to be taken seriously, 17 whether any action needs to be taken or 18 not. 19 Q. And is he a police officer or 20 he's a faculty member? 21 A. I do not -- I don't believe 22 he's a faculty member. I don't actually 23 know that. I don't know.</p>

<p style="text-align: right;">Page 174</p> <p>1 Q. I see. Have you contacted 2 him in another occasion in the past 3 two -- 4 A. I -- 5 Q. -- and a half year? 6 A. Um, let me think. I certainly 7 have been involved with conversations 8 with him. I -- I don't remember if I 9 initiated or if someone in my office 10 initiated those conversations, but I 11 have been involved in conversations that 12 relate to him. 13 Q. And have you directed any other 14 student for evaluation to him? 15 MR. DYKES: Object to the form. 16 A. I remember of a situation 17 involving -- 18 MR. DYKES: Susan, don't use -- 19 THE WITNESS: -- no -- 20 MR. DYKES: -- names of 21 students. 22 A. -- an applicant, but not an 23 enrolled student.</p>	<p style="text-align: right;">Page 176</p> <p>1 THE WITNESS: Yes, "applicant." 2 MR. AMIRI: "Applicant." 3 THE WITNESS: Someone who was 4 applying and was -- 5 MR. AMIRI: I see. 6 THE WITNESS: -- making 7 threats. 8 BY MR. AMIRI: 9 Q. Can you please read in this 10 document the first underlined part of it 11 that you wrote. 12 A. "The College of A&S is 13 concerned that Mr. Amiri has not 14 responded to messages that direct him 15 toward appropriate academic grievance 16 channels and is instead reaching out 17 directly to the president and provost 18 with his repeated accusations of 19 misconduct." 20 Q. What is your inform- -- source 21 of your information? 22 A. Associate Dean Cathy Pagani is 23 in my office and handles most student</p>
<p style="text-align: right;">Page 175</p> <p>1 BY MR. AMIRI: 2 Q. Can you please repeat that? 3 A. I remember of a situation 4 involving an applicant to programs who 5 was making statements that -- that we 6 considered threatening and contacted 7 him. But I don't remember of other 8 situations where I have contacted him. 9 Q. I see. So he was not a 10 student? 11 A. The other case was someone we 12 were dealing with professionally but not 13 a student. 14 Q. Oh. He -- he was Af- -- 15 American-African. Yes? 16 A. (No response) 17 Q. You told he was 18 American-Afri- -- African-American? 19 MR. DYKES: No, no. 20 A. No. 21 MR. DYKES: She said 22 "applicant." 23 MR. AMIRI: "Applicant."</p>	<p style="text-align: right;">Page 177</p> <p>1 issues. I consult with her on any issue 2 involving a student. I don't remember 3 whether she reached out to Dean Olin or 4 whether I reached out to Dean Olin. I 5 don't remember that part. I know I 6 talked with Luoheng Han, but I don't 7 remember talking with Dean Olin, but I 8 may have. So I would -- I had seen your 9 emails. I talked with them. I was 10 advised that we should assess how to 11 move forward, given the accusations that 12 you were making. 13 Q. Yes. Did you contact me to get 14 some information from myself? 15 A. No. 16 Q. What was the reason? 17 A. I don't insert myself into 18 conversations between a student and the 19 student's department. I explained at 20 the beginning of the day the ways in 21 which we are centralized and 22 decentralized. Conversations between a 23 student and the department is part of</p>

45 (Pages 174 - 177)

<p style="text-align: right;">Page 178</p> <p>1 the decentralized way that we operate. 2 I do not insert myself into 3 conversations between a student and the 4 department. 5 Q. So -- so this statement you 6 wrote, do you think it confirms that 7 College of Art and Science is right or 8 not? 9 A. What? That the College of Arts 10 and Sciences is right? 11 Q. Yes. In this -- 12 A. In -- 13 Q. -- statement that you read 14 that -- 15 A. That they are -- 16 Q. -- I'm -- I'm n- -- 17 A. -- concerned that you have not 18 responded? 19 Q. Yes. Do you think when you 20 write this to the -- another authority, 21 you are kind of endorsing that 22 statement, you are confirming that 23 statement?</p>	<p style="text-align: right;">Page 180</p> <p>1 regard? I'm writing them a lot of 2 emails. Yes? Did president or provost 3 investigate the situation? I mean, I am 4 an adult person. I'm a Ph.D. applicant, 5 it's my sixth year, and I know the 6 procedures. I'm directly -- directly 7 reaching to the president. Does it 8 create some concern in the president 9 that something in the university 10 probably is wrong, at least from the 11 student's point of view? Did they do 12 any investigation in this regard? 13 A. They would not -- 14 MR. DYKES: Object to the form. 15 A. -- do investigation in that 16 regard. 17 BY MR. AMIRI: 18 Q. Did they -- 19 A. They would direct you to the 20 grievance process. We have 38,000 21 students. 22 Q. But if the -- 23 A. The president does not</p>
<p style="text-align: right;">Page 179</p> <p>1 A. The statement that you were not 2 using appropriate academic grievance 3 channels? 4 Q. Yes. 5 A. Yes. 6 Q. So you are endorsing the 7 College of Art and Science, but you 8 don't have adequate information whether 9 I did it or not. 10 MR. DYKES: Object to the form. 11 A. In 2017, you were writing to 12 the president. That's not the 13 appropriate grievance channel. 14 BY MR. AMIRI: 15 Q. But -- 16 A. So when the college told me 17 that you were not using the appropriate 18 grievance channel, I had your 19 communication with the president, which 20 is not the appropriate grievance 21 channel. So, yes. 22 Q. Do you think if the president 23 or provost took any action in this</p>	<p style="text-align: right;">Page 181</p> <p>1 adjudicate the situations of all the 2 students. He directs them to the 3 grievance process. The reason the 4 grievance process is constructed the way 5 it is, is because the situation is 6 resolved closer to where the action is 7 happening, not at the president's level. 8 Q. Okay. How many student- -- 9 Ph.D. students directly reaching to the 10 president in a year for this kind of 11 accusations? 12 MR. DYKES: Object to the form. 13 THE WITNESS: Should I answer 14 that? 15 MR. DYKES: If you -- if you 16 can. 17 A. I know of three. 18 BY MR. AMIRI: 19 Q. So -- 20 A. But I wouldn't necessarily know 21 of them all, but I know of three. 22 Q. Good answer. So we have only 23 three student in one year who directly</p>

<p style="text-align: right;">Page 182</p> <p>1 want to reach to the president. So --</p> <p>2 A. Who are Ph.D. students.</p> <p>3 Q. Yes.</p> <p>4 A. But the -- all students'</p> <p>5 concerns are valid, so they, then, would</p> <p>6 not be taken more -- they would not be</p> <p>7 treated differently because they are</p> <p>8 Ph.D. students. Generally Ph.D.</p> <p>9 students don't have as many of these</p> <p>10 kinds of difficulties.</p> <p>11 Q. Do you think if I am a</p> <p>12 sixth-year Ph.D. student who contributed</p> <p>13 to bring National Science Foundation</p> <p>14 money of about half a million dollars to</p> <p>15 this university, when I'm directly</p> <p>16 reaching to the president, my voice</p> <p>17 should be a little bit more valuable</p> <p>18 than, for example, undergraduate student</p> <p>19 who may reach him?</p> <p>20 MR. DYKES: Object to the form.</p> <p>21 A. I -- I think that all student</p> <p>22 concerns are treated equally, and we</p> <p>23 work hard not to let extra details or</p>	<p style="text-align: right;">Page 184</p> <p>1 making such a guess --</p> <p>2 Q. Okay.</p> <p>3 A. -- because I would never hear</p> <p>4 about it.</p> <p>5 Q. So I'm thinking, if only three</p> <p>6 student is reaching to president,</p> <p>7 probably the president should put ten</p> <p>8 minute time to respond to them. It</p> <p>9 is 30 minute in one year.</p> <p>10 MR. DYKES: Object to the form.</p> <p>11 If there's a --</p> <p>12 BY MR. AMIRI:</p> <p>13 Q. Do you think it is a right</p> <p>14 expectation or not?</p> <p>15 A. No.</p> <p>16 MR. DYKES: Object to the form.</p> <p>17 BY MR. AMIRI:</p> <p>18 Q. Why not?</p> <p>19 A. Because I -- it's not only</p> <p>20 three, and, even if it were only three,</p> <p>21 the thoughtful process of dealing with a</p> <p>22 student who perceives that he or she is</p> <p>23 being treated unjustly is to follow</p>
<p style="text-align: right;">Page 183</p> <p>1 extra information change a fair process.</p> <p>2 So I would not think there would be any</p> <p>3 circumstances you could put on the table</p> <p>4 that should change the way we address</p> <p>5 having a student be fairly heard.</p> <p>6 BY MR. AMIRI:</p> <p>7 Q. Okay. You told about three</p> <p>8 student directly reached -- Ph.D.</p> <p>9 student reached to the pre- -- president</p> <p>10 and provost.</p> <p>11 A. Or provost, yeah.</p> <p>12 Q. Do you -- do you know how many</p> <p>13 student in general reached to the</p> <p>14 president in this condition?</p> <p>15 A. No.</p> <p>16 MR. DYKES: Object to the form.</p> <p>17 BY MR. AMIRI:</p> <p>18 Q. Do you -- can you give an</p> <p>19 estimated number how much?</p> <p>20 A. No.</p> <p>21 Q. Do you think it is more than</p> <p>22 ten or less than ten?</p> <p>23 A. I wouldn't have any basis for</p>	<p style="text-align: right;">Page 185</p> <p>1 the -- the fair hearing process. As I</p> <p>2 said that I would not step into the</p> <p>3 communications between a department and</p> <p>4 a student, the president also does not</p> <p>5 do that. The grievance process is</p> <p>6 designed to give a student a fair</p> <p>7 hearing at every level. And the -- the</p> <p>8 president and the provost in -- whether</p> <p>9 they receive three or 300 such messages</p> <p>10 will always direct a student to use the</p> <p>11 process that gives that student a fair</p> <p>12 hearing and also gives the department a</p> <p>13 chance to express their side. I feel in</p> <p>14 this situation like you think you -- you</p> <p>15 know both sides, but one -- one person</p> <p>16 never knows both sides, and the</p> <p>17 grievance process is designed to allow</p> <p>18 both sides to speak, and then to -- to</p> <p>19 reach a -- a conclusion.</p> <p>20 Q. Well --</p> <p>21 A. And so the president</p> <p>22 interfering with that, without having --</p> <p>23 and it's not -- no, it's not ten minutes</p>

<p style="text-align: right;">Page 186</p> <p>1 at all. It would be treated -- it has 2 to be treated deeply and seriously and 3 thoroughly, and that would happen 4 through the grievance process. 5 Q. Well, I told you that 6 previously. I told you that, in 2016, I 7 followed the grievance procedure and I 8 followed it step by step from the very 9 first person to the highest person in 10 that college, College of Art and 11 Science. They did not give me a letter, 12 but I recorded their voices. And, in 13 2017, when I was sending these emails to 14 professors -- prof- -- to provost and to 15 the president, I attached those 16 communications I had with those 17 officials in the grievance procedures. 18 So they could hear the conversation I 19 had with those people in the grievance 20 procedure. Do you think they should -- 21 this should make a difference? 22 A. No. 23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 188</p> <p>1 difference? 2 A. Well, the -- today is, um, 3 you're telling me things about 2016 that 4 I -- I don't have a thorough knowledge 5 of. But I would say this: You -- 6 the 2017 grievance would be about the 7 action that the faculty committee took, 8 and it would be a new issue. I don't 9 thoroughly understand the issue you 10 raised in 2016. It could be that that 11 issue was not appropriate for the 12 grievance process, or it could be that 13 it was wasting someone's time or it 14 could be that you were right. I don't 15 know. But the 2017 issue would be new. 16 You would be raising a question that you 17 have raised this morning: Did that 18 committee have the standing to make the 19 determination it made? You could take 20 that through the grievance process. I 21 understand from what you're saying that 22 you lost faith in the grievance process. 23 That doesn't invalidate the grievance</p>
<p style="text-align: right;">Page 187</p> <p>1 BY MR. AMIRI: 2 Q. But I -- I'm proving that I 3 followed the grievance procedure, and 4 their answers was very much rude. The 5 person who is in the grievance procedure 6 is telling me, "You are wasting my time. 7 These people are my people. I don't pay 8 attention to you. I pay attention to my 9 people. No matter what" -- "what" -- 10 "what is the situation, I support my 11 people. I don't support you." 12 MR. DYKES: Object to the form. 13 BY MR. AMIRI: 14 Q. And he's telling me, "You are 15 wasting my time." And that is Dr. Han. 16 You have talked to him. And I sent his 17 voice recording to the president. Does 18 it -- should it make a difference or 19 not? 20 A. No. 21 MR. DYKES: Object to the form. 22 BY MR. AMIRI: 23 Q. Why it shouldn't make a</p>	<p style="text-align: right;">Page 189</p> <p>1 process. You needed to use it, and 2 that's what you were directed to do when 3 you contacted the president. You have 4 to use the grievance process. 5 Q. Yes. 6 A. You -- you can use the 7 grievance -- 8 Q. Can we -- 9 A. -- process or litigation -- 10 that's why we're here -- but those are 11 the processes. And -- and -- 12 Q. Well -- 13 A. -- those processes are designed 14 to give you a fair hearing. 15 Q. Well, okay. In 2017, I copied 16 my objection to this recommendation 17 letter to all of the people in the 18 hierarchy of the grievance procedure. 19 A. Yes, you did. 20 Q. So this is counted as using 21 that grievance procedure, but not from 22 the bottom. I contacted all of them. 23 That is first.</p>

<p style="text-align: right;">Page 190</p> <p>1 Second. When I am copying -- 2 when I'm sending the voice recording of 3 the people in the hierarchy of the 4 grievance procedure to the president, it 5 means that the grievance procedure is 6 not functioning. When it is not 7 functioning, I cannot follow through 8 that. So the purpose of sending the 9 voice recording, that you can hear and 10 you can identify the person who is 11 talking, is to show that the people in 12 the hierarchy of grievance procedure are 13 not following the UA procedures. They 14 are not follow- -- following the 15 graduate handbook. They are not 16 following the graduate catalog. They 17 are not following the procedures 18 determined for grievance procedure. 19 Their name are on the side, but they are 20 not following them. And, to prove that, 21 I sent their exact voices to the 22 president. 23 A. I understand that.</p>	<p style="text-align: right;">Page 192</p> <p>1 grievance -- I mean, you've been down 2 this road for the last 15 minutes of the 3 same -- the same thing. I . . . 4 A. And my answer is, the grievance 5 process is functioning. The president 6 should not have listened to the tapes. 7 You feel that the grievance process 8 isn't functioning. The grievance 9 process is designed to give the student 10 a fair hearing and to hear all sides of 11 an issue. When you're the only one 12 talking, that doesn't mean the grievance 13 process is broken. 14 BY MR. AMIRI: 15 Q. Okay. Let's move to next -- 16 A. Oh, thank goodness. 17 Q. -- question. The next line 18 that I underlined, can you please read 19 that? 20 A. "The two faculty members who 21 have been directing Mr. Amiri's doctoral 22 research no longer wish to direct his 23 project." Can I read the rest of the</p>
<p style="text-align: right;">Page 191</p> <p>1 Q. Yes. So it means that -- 2 A. Is that a question -- 3 Q. -- the griev- -- 4 A. -- for me? 5 Q. I -- I will ask it. Does this 6 mean that the grievance procedure is not 7 functioning? 8 A. No. 9 MR. DYKES: Object to the form. 10 A. It doesn't mean that. It means 11 that you feel that it's not functioning. 12 BY MR. AMIRI: 13 Q. So should president listen to 14 those audiotapes -- 15 MR. DYKES: Okay. Mr. Amiri, 16 we -- you -- you've asked this question 17 a half a dozen times and she's answered 18 it a half a dozen times. I mean, 19 can . . . 20 MR. AMIRI: What is that 21 question that I asked? 22 MR. DYKES: About whether he 23 should listen to the tapes, whether the</p>	<p style="text-align: right;">Page 193</p> <p>1 sentence or not? 2 Q. That is enough. So -- so this 3 is your -- you are reporting this to 4 Mr. Dorsey, that the two faculty 5 members who have been directing 6 Mr. Amiri's doctoral res- -- research no 7 longer wish to direct his project. My 8 question is that, can a faculty member 9 not wish to direct a student? Is it 10 possible that a faculty member can, 11 "Okay, from now on, I'm not going to 12 direct you"? 13 A. Yes. That happens a lot. 14 Q. Did -- does anybody ask from 15 faculty member why? Does any- -- 16 A. Yes. 17 Q. -- anybody -- 18 MR. DYKES: Object to -- 19 A. Yes. 20 MR. DYKES: -- the form. 21 BY MR. AMIRI: 22 Q. Does anybody in the University 23 of Alabama ask from the faculty member</p>

<p style="text-align: right;">Page 194</p> <p>1 why you are not wishing to advise this 2 student anymore? 3 A. When -- 4 MR. DYKES: Object to the form. 5 A. When a faculty member wishes 6 not to advise a student -- and, again, 7 you're asking me about general 8 University procedure. Right? Are you 9 asking me about your situation or 10 general procedure? Because you told me 11 not to -- 12 BY MR. AMIRI: 13 Q. Please provide a short answer. 14 You can give -- 15 MR. DYKES: Well, don't -- 16 BY MR. AMIRI: 17 Q. -- general information, yes. 18 Go ahead. 19 MR. DYKES: An- -- answer the 20 question in any way -- 21 MR. AMIRI: Yes. 22 MR. DYKES: -- you want to 23 answer.</p>	<p style="text-align: right;">Page 196</p> <p>1 BY MR. AMIRI: 2 Q. No, I'm asking about -- 3 A. I asked and received sufficient 4 information to satisfy me about why your 5 director no longer wished to direct your 6 dissertation. 7 Q. What was the reason? 8 A. Failure to progress. 9 Q. But you just read that I made 10 allegation of misconduct against my 11 advisors. 12 A. I did see that today. 13 Q. Do you think is it primary 14 reason or not making progress? 15 A. I'm not in a position to -- 16 MR. DYKES: Object to the form. 17 A. -- judge that, but, if you 18 failed to progress, the allegations 19 might not be relevant to that, or i- -- 20 the que- -- my question was -- 21 BY MR. AMIRI: 22 Q. Yes. 23 A. -- a narrower one: Is the</p>
<p style="text-align: right;">Page 195</p> <p>1 BY MR. AMIRI: 2 Q. Yes. Answer the question any 3 way you want. 4 A. When a faculty member wishes no 5 longer to direct a dissertation, a 6 decision has to be made about the 7 student's future. So at some point the 8 question would be asked about what is 9 the next step for the student. Will we 10 assign a new director, or would that be 11 unproductive? 12 Q. So my question is, does anybody 13 ask from the professor that, "You was 14 directing this student for four years. 15 Why you don't want to direct him 16 anymore?" 17 A. Yes. 18 Q. Did anybody ask my advisors why 19 they don't wish to direct me anymore? 20 A. I -- 21 MR. DYKES: Object to the form. 22 A. -- asked the question about 23 your progress.</p>	<p style="text-align: right;">Page 197</p> <p>1 student progressing? And that is the 2 question also that the committee in the 3 department was asked to evaluate. So 4 you are asking whether other questions 5 complicate that question. To me, as 6 dean of the Graduate School, they -- 7 they do not because the question, "Is 8 progress being made?" "Is progress not 9 being made?" is a clean question, and I 10 believe that is the question that I 11 asked Dr. LeClair. And I believe, from 12 what I'm seeing here, that is the 13 question that Dr. Clair asked the 14 committee to ascertain. 15 Q. And -- 16 A. So that is the question that is 17 central here. We've spent a lot of 18 time. That's the question that is 19 central here. 20 Q. So the answer of Patrick 21 LeClair is admissible for you? 22 A. Yes. 23 Q. And I'm telling you that, for</p>

50 (Pages 194 - 197)

<p style="text-align: right;">Page 198</p> <p>1 four years, we had weekly group 2 meetings -- 3 A. Yes, we talked -- 4 Q. -- with these two professors. 5 A. -- about this and -- 6 Q. Is it admissible for you or 7 not? 8 A. No. 9 Q. Why? 10 A. I don't know what the 11 professors' evaluation of your progress 12 is. I only know what you are telling me 13 their evaluation of your progress is. I 14 would need to understand from them 15 whether they felt that those 16 conversations were productive, not 17 productive, progressing, not 18 progressing. 19 Q. My question is -- 20 MR. DYKES: It's -- it's 12:10. 21 MR. AMIRI: Can we continue -- 22 MR. DYKES: I mean, I -- yeah, 23 I --</p>	<p style="text-align: right;">Page 200</p> <p>1 to sit down with the vice director of 2 the MINT Center and with one Ph.D. 3 student, talk for four years, even if 4 there is no progress? 5 A. The first part of the answer is 6 "yes." The second part is, "no 7 progress" isn't what we were talking 8 about. We were talking about timely and 9 continuous progress. But I would say 10 that the meetings in themselves don't 11 constitute evidence of progress. 12 Q. So you mean, without progress, 13 the meeting with -- between two 14 high-rank professor and a Ph.D. 15 student -- student can be continued for 16 four years, even if there is no 17 progress? 18 A. I don't -- what -- I don't 19 think anyone said there was no progress, 20 but I don't know. I don't know at what 21 point there might have been progress. 22 Q. My understanding is that, if 23 the Ph.D. student can have --</p>
<p style="text-align: right;">Page 199</p> <p>1 MR. AMIRI: -- for five 2 minutes, please? 3 MR. DYKES: -- you had asked me 4 to tell you five minutes. 5 MR. AMIRI: Yes. Thank you. 6 BY MR. AMIRI: 7 Q. My question is, the mere 8 existence of a group meeting for four 9 years, that two professors are -- 10 A. Yes. 11 Q. -- coming to -- I mean, we are 12 having meetings -- 13 A. Yes, no, that -- that in 14 itself -- 15 Q. I am -- 16 A. -- does not constitute evidence 17 of progress. 18 Q. So, even if we don't make 19 progress, you -- you are telling that 20 the -- 21 A. Yes. 22 Q. -- head of the Physics 23 Department will come to the MINT Center</p>	<p style="text-align: right;">Page 201</p> <p>1 A. The meetings in themselves do 2 not constitute evidence of progress. 3 Q. My understanding is that, if a 4 Ph.D. student has a meeting with two 5 high-rank faculty members for four 6 years, it means that the student, not 7 only is a -- is making very good 8 progress, but he is very high-rank 9 student who can get time from two 10 professors every week to come sit down 11 and study his progress and see how much 12 progress, how much experiments was done 13 in one week, to comment on it, ask him 14 what to do for the next week, and next 15 week get the result. If the student 16 cannot produce those -- that -- those 17 results in one week, the next week or a 18 few weeks after that, these meetings 19 would not be continued. The -- when we 20 see that there is a meeting going on for 21 four years, it means that the 22 expectation of the -- those two 23 high-rank professors, which both are</p>

<p style="text-align: right;">Page 202</p> <p>1 professors with very high rank, are 2 being achieved, so the student is able 3 to satisfy those expectation, that 4 people are coming and sitting down and 5 talking for one hour, two hour every 6 week, this is my logical conclusion, but 7 you are entitled, I mean, to your own 8 judgment as well. I respect that. 9 MR. AMIRI: Okay. We can take 10 a break. 11 MR. DYKES: Object to the form. 12 VIDEOGRAPHER: We are going off 13 the record at 12:14. 14 (A LUNCH BREAK WAS TAKEN) 15 VIDEOGRAPHER: We are back on 16 the record at 1:09. 17 BY MR. AMIRI: 18 Q. Yes. Let's continue from where 19 we left. We was on Exhibit Number 7. 20 A. Yes. 21 Q. And can you please read the -- 22 read the last part that I underlined, 23 that one line?</p>	<p style="text-align: right;">Page 204</p> <p>1 in -- in the field I come from, there's 2 no lab, so these questions are -- are 3 self-evident, but it was more 4 complicated with -- in terms of lab 5 access, so that was what I was asking 6 him about. 7 Q. So -- so the conclusion was 8 that not having access to lab is fine? 9 A. Well, I couldn't see how you go 10 forward that way. It seemed like you 11 couldn't go forward with your research 12 without a lab. So I was trying to 13 figure out what -- what your options 14 could even possibly be at that point 15 without a lab. 16 Q. Do you know how many labs I had 17 access to? 18 A. No, I don't. 19 Q. So the reason that I didn't 20 have these two professors told that I -- 21 they don't wish I work with them. Each 22 of these professors have two labs. 23 Dr. Arun Gupta has two labs, and Dr. --</p>
<p style="text-align: right;">Page 203</p> <p>1 A. "Or do you consider that he is 2 still an enrolled doctoral student, but 3 without a lab?" 4 Q. Can you please explain what is 5 meant? 6 A. Yes. My question to Charles 7 Dorsey related to the fact that -- that 8 you would no longer have a position in 9 the MINT lab because of the decision 10 that the committee made and the failure 11 to progress. And my question was, if 12 you don't have access to a lab, can you 13 still be an enrolled student? He wasn't 14 the right person to ask that question 15 to, but I didn't know that at the time. 16 I was trying to discern what the next 17 steps needed to be, and he directed me 18 back to say this, you know, doesn't move 19 past the Physics Department. It's still 20 the Physics Department's decision, which 21 was correct, but I didn't know that at 22 the time. I had been here less than a 23 year at that time, and so -- well, in --</p>	<p style="text-align: right;">Page 205</p> <p>1 Dr. Patrick LeClair has two labs. It is 2 four lab. When you send that police 3 officers on 26 June to take the keys, 4 they -- 5 MR. DYKES: Object to the form. 6 BY MR. AMIRI: 7 Q. -- they took ten keys from me. 8 So I had access to ten traditional labs. 9 It leaves six other traditional labs 10 that are operating with keys that these 11 two professors does not have control 12 over them. In addition to that, there 13 are internal labs that are acting -- 14 their door is acting based on action 15 cards -- 16 A. Um-hum. 17 Q. -- which is our student card. 18 A. Right. 19 Q. So I don't need to have a 20 traditional key. And there are some 21 labs that we need to enter a code. 22 Counting them, I had access to more 23 than 15 labs, and two of them does</p>

<p style="text-align: right;">Page 206</p> <p>1 belong to Dr. LeClair and two of them 2 does belong to Dr. Arunava Gupta. So 3 even if I wouldn't access to those labs, 4 I had access to more than ten other 5 labs, so it was not a concern. 6 A. No. 7 MR. AMIRI: I'm introducing 8 Exhibit Number 8. 9 (PLAINTIFF'S EXHIBIT NO. 8 10 MARKED) 11 MR. DYKES: Susan, let me see 12 that. 13 THE WITNESS: (Tenders 14 document) 15 MR. DYKES: Thank you. 16 (Reviews document) 17 BY MR. AMIRI: 18 Q. This is an email that Dr. Han 19 forwarded to you. Can you please read 20 the first paragraph for me? 21 A. But this is from Patrick to 22 Luoheng. 23 Q. Yes, it is on --</p>	<p style="text-align: right;">Page 208</p> <p>1 number of publications the student has, 2 which is zero in Ali's case." 3 Q. Well, in the part that I have 4 underlined, he is telling, "We do not 5 have much in writing unfortunately." 6 At that time I was sending a lot of 7 emails to officials, including provost, 8 which you are associate provost, and 9 the pro- -- I mean, it is rationale 10 that you knew about those emails. And 11 in those emails there was a lot of 12 communications in writing, which I was 13 turning into PDF, and I was explaining 14 them, and I was sending them -- them 15 to provost. Did you forward any of 16 those emails to Dr. Han or Dr. LeClair 17 and tell, "So what is this written 18 doc-" -- "document that he's forwarding 19 to us?" 20 MR. DYKES: Object to the form. 21 A. I don't know. I'm not -- I -- 22 I don't see what the question is that -- 23 that --</p>
<p style="text-align: right;">Page 207</p> <p>1 A. And Luoheng forwarded it to me. 2 Q. Correct. 3 A. Okay. You want me to just read 4 the underlined part? 5 Q. Yes. Just the fir- -- the full 6 first paragraph. And the date is 27 7 June 2017. 8 A. Yes. 9 Q. Both of the emails dated that 10 date. Yes, go ahead, please. 11 A. "Luoheng, we do not have much 12 in writing unfortunately. Most of the 13 assessment, until the seventh year is 14 approaching, has been done in 15 face-to-face discussions with research 16 advisors, the dissertation committee 17 members, et cetera. I usually met with 18 Ali about once a week to discuss 19 research in my office. I will see if I 20 can find some relevant emails, but I 21 doubt there is much that will be 22 helpful. I can say that one of the 23 main metrics the department uses is the</p>	<p style="text-align: right;">Page 209</p> <p>1 BY MR. AMIRI: 2 Q. Okay. The question is -- 3 A. Which documentation -- I mean, 4 the question that Patrick is answering 5 here when he says, "We don't have much 6 in writing," what is he -- what -- what 7 was the question that Luoheng asked him? 8 Q. Yes. 9 A. Because it wasn't whether we 10 have anything in writing; I'm sure it 11 was whether we have anything in writing 12 related to something. What ... 13 Q. Yes. It is about assessment of 14 the research -- 15 A. Of your -- 16 Q. -- progress. 17 A. -- research progress. And so, 18 are you asking me if I saw emails that 19 assessed your research -- 20 Q. Yes. 21 A. -- progress? No. 22 Q. But I sent a lot of emails and 23 I organized them very, very well. That</p>

Page 210

1 those emails was showing that I had
 2 considerable -- not considerable --
 3 excellent progress in five different
 4 topics. There --
 5 A. And those were from you or they
 6 were from your directors? I mean, is
 7 that . . .
 8 Q. The first one was from me. I
 9 worked on it for two years, and that was
 10 strain effect on VO2. The second one
 11 was again strain effect but using
 12 bending method. That -- that --
 13 A. I guess what I mean is, do you
 14 have any emails where the advisors were
 15 telling you that your progress was
 16 great, excellent?
 17 Q. Yeah.
 18 A. That's -- that's --
 19 Q. Yes, I have --
 20 A. Yeah --
 21 Q. -- I have --
 22 A. -- so I haven't seen those, no.
 23 Q. I have those, but, in addition

Page 211

1 to them, I am referencing to emails that
 2 I wrote to provost, which you are in his
 3 office and you are associate provost.
 4 And, in those emails, I showed my
 5 progress. I showed the international
 6 conferences I attended, the posters I
 7 presented --
 8 A. Um-hum.
 9 Q. -- the papers I wrote, the
 10 weekly reports. Every week I had a
 11 report, and I forwarded those reports to
 12 provost, and those reports had very high
 13 quality images and research result.
 14 Provost is mechanical engineer. He can
 15 exactly understand them. And, I mean,
 16 everybody can understand them. It was
 17 very excellent work. So, in addition to
 18 the fact that we had meetings for four
 19 years, I had my PowerPoints for every
 20 week that I presented. I wrote down the
 21 questions they asked. I wrote down what
 22 they asked me to do for the next week,
 23 and I did those experiments, and the

Page 212

1 next week I showed them. We compared
 2 our results with other universities.
 3 For example, we did -- we did some work
 4 with Northwestern University. Our work
 5 was much better than them, their
 6 results, and I showed them in those
 7 emails. We had a collaboration with
 8 Oakland University.
 9 A. Right. So --
 10 Q. And so you had those --
 11 A. -- so --
 12 Q. -- emails. Why you didn't show
 13 what -- some of those emails to Dr. Han
 14 to say then, "We have something in
 15 writing"? Why you are not telling --
 16 A. The question --
 17 MR. DYKES: Object to the form.
 18 A. -- here is what does the --
 19 does -- have the faculty members
 20 assessed your progress. So you going
 21 around that and showing your progress
 22 isn't what -- what we would want. What
 23 we would want is for the faculty members

Page 213

1 to judge that progress and tell us.
 2 BY MR. AMIRI:
 3 Q. Even --
 4 A. So, in other words, it's your
 5 directors who have to say whether that's
 6 excellent or not excellent. All
 7 students think their work is excellent,
 8 so we rely on the professors to say,
 9 "Yes, indeed it is," or "This is not
 10 leading to a defensible dissertation."
 11 It is or it isn't.
 12 And -- and so we ask them to
 13 tell us that. We don't make an
 14 independent judgment. So you can't give
 15 it to other people and ask them, "Is
 16 this good progress? Isn't this good
 17 progress?" It has to come back to your
 18 advisors.
 19 Q. But we have a meeting every
 20 year with members of dissertation
 21 committee, and they sign a document that
 22 shows what is their opinion. We have
 23 those reports. So it is not that we

<p style="text-align: right;">Page 214</p> <p>1 don't have anything in record. A State 2 university that has almost 40,000 3 student cannot work based on 4 face-to-face, verbal communications. 5 You need to have documentation. Yeah? 6 And we had those documentations. We had 7 yearly reports. We had our reports to 8 National Science Foundation, because we 9 brought money from there. And, before 10 we get to National Science Foundation 11 money, I did a lot of experiment, and I 12 produced the results that we put in the 13 application. The application we sent 14 for National Science -- 15 A. Um-hum. 16 Q. -- Foundation was rejected two 17 times before. 18 A. So this says, "The only 19 department assessment of his research 20 progress was his preliminary 21 examination." 22 Q. Then, after that, the yearly 23 examination of the department as well.</p>	<p style="text-align: right;">Page 216</p> <p>1 have any document. But the student send 2 us documents. What are these documents? 3 A. I don't have -- 4 MR. DYKES: Object to the form. 5 A. Yeah, I don't -- I'm not sure 6 what you think my role here would be as 7 dean. 8 BY MR. AMIRI: 9 Q. I mean, you are -- 10 A. You think I should have -- 11 Q. You are receiving this email, 12 and you are accepting it as true. 13 A. Yes. 14 Q. But you have evidence that it 15 is not true. 16 A. I ha- -- I -- he says that 17 you've not progressed since March 2015. 18 So I suppose that, if you had gone 19 through the grievance process, someone 20 would have asked, "Has he made progress? 21 Have you made progress?" and come and 22 weigh the two things side by side, what 23 you say, what they say. That would have</p>
<p style="text-align: right;">Page 215</p> <p>1 A. And it says, "In March 2015, we 2 did consider that Ali was making good 3 progress, but he has not progressed 4 since then." 5 Q. But we had another meeting 6 in 2016 as well. 7 A. With written? 8 Q. Yes, with written report. 9 A. So you have that. 10 Q. And I have even their verbal 11 evaluation at the conclusion of that. I 12 recorded their voices. So how -- I 13 mean, we have everything in the report 14 as well, but in addition to that, I 15 report -- recorded their voices. 16 My question for you as 17 associate provost, when you have those 18 communications from me that I'm sending 19 to you, and you are trying to stop me, 20 those are information. You can look at 21 them and tell, okay, you are telling we 22 don't have any face to face. Well, 23 everything is face to face; we don't</p>	<p style="text-align: right;">Page 217</p> <p>1 happened in the grievance process. 2 Q. As I mentioned to you, the 3 grievance process was not functional and 4 they didn't ask, because they didn't ask 5 that question that you are mentioning, I 6 recorded their voice and I send the 7 voice record to president and provost 8 that the people in grievance process are 9 not asking me any question. They are 10 not asking from the professor anything. 11 They're just telling, "We are not" -- 12 "we don't buy that." The exact word is 13 Dr. Han, "We" -- "I don't buy it." I 14 mean, they -- 15 A. So that was -- 16 MR. DYKES: Object to the form. 17 A. -- in 2016? 18 BY MR. AMIRI: 19 Q. 2016. 20 A. In 2017, you didn't try the 21 grievance process. 22 Q. As I told to you, I re- -- I 23 provided --</p>

<p style="text-align: right;">Page 218</p> <p>1 A. You had lost faith in the 2 grievance process. 3 Q. -- to everyone. I provided to 4 all of them. I think when email 5 communication is -- should be 6 acceptable, I provided the email to all 7 the people who -- I talked to them in 8 person. They know me. I provided it to 9 them. In addition to that, I appealed 10 to the president and provost. 11 A. Yes. Right. 12 Q. So you didn't have those email 13 communications that shows my progress 14 that they have signed, then? 15 A. I don't know if I had them or 16 not. Even if I had them, I would not 17 have relied on those in the absence of 18 the professor speaking. I -- I wasn't 19 evaluating that. That wasn't my role. 20 My only role was to see if the 21 committee, which did evaluate your 22 progress, acted in line with the 23 criteria they had established. So what</p>	<p style="text-align: right;">Page 220</p> <p>1 MR. DYKES: Mr. Amiri -- 2 BY MR. AMIRI: 3 Q. -- to you. 4 MR. DYKES: -- you're here to 5 ask her questions. You're preaching to 6 her about your case, which you have your 7 opinions in your case, and that's fine. 8 But it's not your -- this is -- the 9 deposition is not your time to tell her 10 your case and how she's wrong; it's your 11 time to ask her questions, so. 12 MR. AMIRI: Yes. But because 13 she's telling that she doesn't have much 14 information. I'm presenting those 15 information to her -- 16 MR. DYKES: No, you're not -- 17 MR. AMIRI: -- to reframe -- 18 MR. DYKES: -- you -- 19 MR. AMIRI: Yeah. 20 A. It wouldn't matter what you 21 sent me. I wasn't going to second-guess 22 the opinion of that committee, unless it 23 came up to me through the grievance</p>
<p style="text-align: right;">Page 219</p> <p>1 you're asking me is how many ways could 2 we have done something different than 3 that, but -- 4 Q. No, I'm telling that you 5 rec- -- 6 A. -- that is the process that -- 7 that I follow. 8 Q. Yeah. I'm telling you that you 9 received an email that you told it is 10 true, but you had evidence in your hand 11 that it is not true. 12 MR. DYKES: Object to the form. 13 BY MR. AMIRI: 14 Q. The evidence was the emails 15 that I sent to provost's office that 16 shows my progress and shows the 17 professors' signatures on those 18 documents. It shows their voice 19 records. Everything is completely 20 ad- -- admissible. And you are 21 accepting a false email as true, and you 22 are not paying any attention to the 23 documents I sent --</p>	<p style="text-align: right;">Page 221</p> <p>1 process, level by level. I wasn't going 2 to investigate it from any side avenue. 3 That's not my role, and it's not the way 4 the grievance process works. So we're 5 back to the same point. You didn't 6 trust the grievance process. 7 Q. I did trust. 8 A. I would insist -- 9 Q. I send you email. 10 A. -- on the grievance -- you 11 trusted it in 2016; you didn't trust it 12 in 2017, because you wrote to all levels 13 at the same time. That's what you said. 14 Q. Yes. 15 A. That's not the grievance 16 process. That's a -- that's the 17 opposite of the grievance process. So 18 we're back to the same point. I would 19 only tell you, no matter what you -- you 20 could bring me your Nobel Prize, and I 21 would say, look, it's got to come 22 through the grievance process. I'm not 23 going to evaluate it apart from the</p>

<p style="text-align: right;">Page 222</p> <p>1 grievance process. So my role was to 2 look at what the committee said and see 3 whether it was within their purview to 4 make those determinations, and then to 5 act in response. And if that wasn't 6 right, I trust the grievance process. 7 So those are -- those are the choices, 8 those are the options in front of me. 9 Either everything is fine, or we use the 10 grievance process. So the kind of 11 series of emails, it doesn't -- doesn't 12 help. 13 Q. It says -- 14 A. Doesn't hurt, doesn't help. 15 It's irrelevant to the choices that we 16 had, which were to go with what the 17 committee said or investigate further 18 through the grievance process. 19 Q. I see. And this series of 20 emails had a lot of attachment, which 21 was documents. 22 MR. AMIRI: I enter this 23 Exhibit Number 9.</p>	<p style="text-align: right;">Page 224</p> <p>1 A. -- have central and 2 decentralized processes. This is how 3 Admissions works. Students apply -- 4 applicants apply to the Graduate School. 5 That's my office. These people work 6 with the application, and so you 7 corresponded with them when you applied, 8 and they say, "We need the transcript," 9 and they say, "We need the TOEFL score," 10 and they say, "We need all of this." 11 When it's all together, they make sure 12 it meets the University's minimum 13 requirements, and then the departments 14 have access to it. Then the 15 departments, which are decentralized, 16 make a decision and they let us know. 17 And when they let us know, these people 18 notify the student. So we're the 19 intermediaries in the admissions 20 process. So no student applies to a 21 department; a student applies to the 22 Graduate School, and so this is the 23 staff.</p>
<p style="text-align: right;">Page 223</p> <p>1 (PLAINTIFF'S EXHIBIT NO. 9 2 MARKED) 3 MR. DYKES: (Reviews document) 4 A. (Reviews document) 5 BY MR. AMIRI: 6 Q. This is an email that you sent 7 on July 3rd, 2017, and you send it to -- 8 A. Admissions staff. 9 Q. Yes. And can you explain who 10 are these people? 11 A. The Admissions staff, each are 12 in charge of different programs, and 13 they report to me. 14 Q. And can you name some of those 15 programs? 16 A. All of the programs. All of 17 the master's programs and all of the 18 doctoral programs. 19 Q. So they are in different 20 departments? 21 A. They -- they're in my office. 22 So you remember I said that we -- 23 Q. Yes.</p>	<p style="text-align: right;">Page 225</p> <p>1 Q. I see. And can you please read 2 the email? 3 A. It says, "Hi, all. The student 4 referenced above has been dismissed from 5 his doctoral program, physics. He is an 6 international student. If he submits an 7 application to any other graduate 8 program in the coming weeks, please let 9 me know." 10 Q. Can you please tell me what was 11 the purpose of this email? 12 A. Yes. Because you are an 13 international student, your visa status 14 is interrelated with your academic 15 status. So, because the standard letter 16 of dismissal says that you may apply to 17 another program at the University to 18 continue your studies, I thought that 19 you might well take advantage of that 20 option, because, otherwise, you lose 21 your visa. That is what many 22 international students do when their 23 program ends and they don't want to be</p>

<p style="text-align: right;">Page 226</p> <p>1 finished; they apply to a different 2 program. And so I wanted to know if you 3 would do that. I was concerned about 4 your visa status. Also about your 5 progress -- 6 Q. And -- 7 A. -- so I wanted to know. So 8 it -- so that's why I did it. 9 Q. So, if -- 10 A. I wanted to know. 11 Q. -- if I would apply and they 12 notify you, what would be the result of 13 that you knowing that I have applied? 14 A. Then I would communicate with 15 the international office to let them 16 know. It wou- -- I guess it would 17 depend on what program you applied to. 18 But, generally, I don't know when a 19 student -- when -- when someone is 20 applying; I don't see all the 21 applications. But I wanted to know, 22 because of your situation, and I knew 23 you were facing a very big decision,</p>	<p style="text-align: right;">Page 228</p> <p>1 Q. I want to understand the 2 purpose of the email, because -- 3 A. Yeah. 4 Q. -- if I get admitted, I mean, 5 automatically I will communicate with 6 international office. I don't need -- 7 A. And with the department. 8 Q. Yes. 9 A. And I wanted -- I wanted to 10 know what decisions you were making 11 next. 12 Q. And you are providing some 13 information that I have been dismissed 14 from Physics. Do you think it will have 15 effect on their decision to get me to 16 another department? 17 A. These folks wouldn't be making 18 a decision. If another department knew 19 that you were dismissed from the Physics 20 Department, it might impact their 21 decision, but they would see your 22 transcript anyway, and they would ask. 23 They would ask you. They would ask the</p>
<p style="text-align: right;">Page 227</p> <p>1 not -- you know, a domestic student 2 faces a big decision; you were facing a 3 bigger decision. International students 4 all face a bigger decision, and my 5 assumption was, without knowing you, 6 that you would either apply to another 7 program here or apply to a physics 8 program somewhere else, so that you 9 would not have to discontinue your 10 studies. That was my assumption. 11 Q. So was you -- were you intended 12 to give me a positive recommendation to 13 them, to get me or not to get me? 14 A. I di- -- 15 MR. DYKES: Object to the form. 16 You can answer. 17 A. I don't make a recommendation 18 to departments. As I was saying about 19 being decentralized, the departments 20 make their decision and I don't make -- 21 BY MR. AMIRI: 22 Q. No, I want to under- -- 23 A. -- recommendations.</p>	<p style="text-align: right;">Page 229</p> <p>1 department. 2 Q. Um-hum. So my understanding is 3 that you just was curious to see what is 4 happening; you don't want to influence 5 in one way or the other. 6 A. I didn't want to influence in 7 one way or the other. I did want to 8 stay aware of what decisions you were 9 making at this critical point, whether 10 you would continue your s- -- I -- I 11 assumed you would continue your studies. 12 My only question is, would you con- -- 13 continue your studies in another program 14 at UA or would -- you know, might you 15 apply somewhere else, which I would 16 never know about. That was my question 17 that I had in my mind. 18 Q. Yes. And in your letter that 19 you send me, the option you are giving 20 me to apply to another program, and I'm 21 already in my sixth year in Ph.D., and I 22 am a well-established scientist. I'm 23 attending inter- -- international</p>

<p style="text-align: right;">Page 230</p> <p>1 conferences, I know a lot of high-rank 2 professors. Even here I have a lot of 3 high rank. I have access to more 4 than 15 labs. Usually a Ph.D. student 5 have access to one, two, three labs. Do 6 you expect me, as a result of your 7 letter, I change my discipline and apply 8 for another program? 9 A. Many people do if they 10 prioritize staying in the country over 11 their professional field. I didn't know 12 what your priority would be. Many 13 people might apply to another program, 14 so that they could have more time in the 15 U.S. to make their decision, and then 16 they would think about it and make a 17 decision. You could very easily, for 18 example -- I'm just conjecturing -- you 19 could go into science education, and 20 then you're not leaving your field 21 completely. You're not going into, you 22 know, cooking, but you would be using 23 your background in a different way where</p>	<p style="text-align: right;">Page 232</p> <p>1 relates to progress toward the Ph.D. 2 Q. But the word that you are 3 repeating, we have gone over that. 4 So -- 5 A. Because, again, you're 6 second-guessing the committee's 7 evaluation of your timely progress 8 toward the degree. 9 Q. No, I'm thinking those 10 committee's members should be prosecuted 11 by the rule of law. That is my view, 12 because they are criminals because they 13 signed a document that the document is a 14 fake document. 15 A. So I understand -- 16 Q. So I'm thinking -- 17 A. -- that you feel that way. 18 Q. I don't feel that way; I 19 proved that. 20 A. I understand -- 21 MR. DYKES: Okay. 22 A. -- that you -- 23 MR. DYKES: You're arguing. If</p>
<p style="text-align: right;">Page 231</p> <p>1 you might be more successful. And 2 that's an option that was open to you, 3 and many people do such things. Many 4 people do such things. 5 Q. And so you are thinking, if I 6 go to another field, I can be probably 7 more successful. Yes? 8 A. You could start over and maybe 9 you would be successful, maybe not, but 10 the clock would start over, and so you 11 would have the chance. 12 Q. But I'm telling you that at 13 that point, I was a good scientist. 14 After -- 15 A. Now we're back to the point 16 of -- 17 Q. -- after getting my -- let me 18 finish -- after getting my ownership 19 document, I filed three patents. All 20 those three patents are single author. 21 A. But -- 22 Q. I am the only author of them. 23 A. Right. But none of that</p>	<p style="text-align: right;">Page 233</p> <p>1 you have questions, ask the questions. 2 MR. AMIRI: No, I'm just asking 3 my -- yes. 4 THE WITNESS: Yeah. 5 BY MR. AMIRI: 6 Q. So what was you -- finish, and 7 I ask my next question. 8 A. What was -- you were a proven 9 scientist; did I think you would start 10 over in a new program? Yes. Many 11 people do that when they realize that 12 they're not going to succeed in their 13 program, they start a new program. 14 Q. Okay. That is your answer. No 15 problem. 16 Can you go to the next page? 17 A. (Witness complies) 18 Q. Can you please read this email? 19 A. Yes. My -- the associate dean 20 had said, "Is a hold on the student?" 21 "Yes, it has now. The 22 department did not notify us at the time 23 of dismissal. They just notified us</p>

<p style="text-align: right;">Page 234</p> <p>1 last week. Beth has sent the letter 2 informing him of the hold. Charter 3 spoke with him by phone and thinks he 4 will want to find a way to stay in the 5 U.S. Other issues in this case make me 6 want to stay informed. Thanks." 7 Q. Can you please tell me what was 8 the other issues in this case? 9 A. The other issues were that you 10 had not been successful in the Physics 11 program. Now, again, that's my view 12 based on the committee decision. I 13 understand that you feel that you were 14 successful. But the committee felt that 15 you were not successful, and, because of 16 that, I wanted to stay informed. 17 Q. So what was the use of this 18 information? 19 A. I wanted to see what program 20 you would apply to, and it might be 21 relevant and it might not. 22 Q. You are saying you were 23 notified last week.</p>	<p style="text-align: right;">Page 236</p> <p>1 notification just one week ago. And, 2 based on that notification, which we 3 argued a lot, you are terminating my 4 status in U.S. Is it correct? 5 A. That is the consequence of the 6 determination that was made by the 7 committee. If we had known about it in 8 May, we would have terminated it in May. 9 We found out about it in June, but 10 our -- our responsibility, once you are 11 no longer in a program, is to terminate 12 the visa. So you are right; the result 13 was the termination of the visa. 14 Q. In one week. And -- 15 A. Upon dismissal. 16 Q. Well, did you terminate a 17 professor in June? 18 A. No. 19 Q. Do you know who was the 20 principal investigator of the National 21 Science Foundation award? 22 A. No. 23 Q. He was Dr. Sarker Sanjoy.</p>
<p style="text-align: right;">Page 235</p> <p>1 A. Yes. 2 Q. And you create a situation that 3 I need to find a way to stay in the U.S. 4 So -- 5 A. I created that situation? 6 Q. You sent me the letter. 7 A. Yes. 8 Q. So -- 9 A. So your visa would be 10 terminated. 11 Q. Why you -- your information is 12 about one week. Why you terminate my 13 staying in U.S.? Why you just get the 14 notification one week ago? 15 A. Because Charter would be 16 terminating your visa in SEVIS as a 17 result -- 18 Q. That is the procedure. 19 A. -- of the letter. (Nods 20 affirmatively) 21 Q. That is procedure. I'm not 22 asking you about the -- what is the 23 procedure. I'm asking you got the</p>	<p style="text-align: right;">Page 237</p> <p>1 A. But you're asking me questions 2 that -- that don't relate to what I -- 3 my responsibility here, or my area of -- 4 of action or work. 5 Q. Do you -- 6 A. I don't know anything about 7 your NSF grant. I have intentionally 8 learned nothing about your NSF grant, 9 because it's not my area of 10 responsibility. My area of 11 responsibility has to do with your 12 progress toward getting a Ph.D., only 13 that. The NSF grant is separate for me. 14 Q. What about Dr. Pinkert 15 stepping -- stepping down? Do you have 16 information about that? 17 A. No. 18 Q. You don't know why Dr. Pinkert 19 stepped down? 20 A. No. 21 Q. When Dr. Pinkert stepped down, 22 do you know what procedure was taken to 23 find a replacement?</p>

Page 238

1 A. Yes, I do.

2 Q. What was that procedure?

3 MR. DYKES: I -- I'm just --

4 for the record, I'm going to object.

5 This is -- the procedure for how a

6 replacement for Dr. Pinkert is well

7 beyond the scope of anything that this

8 case is about. I've let you talk about

9 Dr. Pinkert based on what the court did

10 last week and his investigation, but the

11 process for his replacement that was

12 done after all these decisions had been

13 made has absolutely nothing to do with

14 the claims in this case.

15 MR. AMIRI: Mr. Counsel, I'm

16 entitled to ask any question calculated

17 to lead to the discovery of admissible

18 evidence.

19 MR. DYKES: You are. But it's

20 admissible evidence, based on the

21 court's scheduling order that relate to

22 whether you had a protected property

23 interest in continued enrollment at the

Page 239

1 University of Alabama, which that has

2 nothing to do with that. The reasons

3 for plaintiff's dismissal from the

4 University of Alabama, including whether

5 his dismissal was for academic or

6 disciplinary reasons, the replacement

7 for Dr. Pinkert has -- is not reasonably

8 calculated to lead to any discovery --

9 anything that might be admissible on

10 that or the procedures followed in

11 determining whether you should be

12 dismissed from the University in Alabama

13 and in effectuating his dismissal. So

14 the procedures used in selecting a

15 replacement for Dr. Pinkert are not in

16 any shape, form, or fashion relevant to

17 what we are here for today.

18 MR. AMIRI: But, Mr. Counsel,

19 that is your point of view.

20 MR. DYKES: Tell me how in the

21 world the procedures used for

22 Mr. Pinkert's selec- -- his replacement

23 selection are related in any way to what

Page 240

1 we're here for today.

2 MR. AMIRI: If you wait to get

3 my answer, you will know that. If I

4 give it to you --

5 MR. DYKES: Well, I'm not going

6 to waste the time going down that --

7 that line of questioning --

8 MR. AMIRI: But --

9 MR. DYKES: -- if you can't

10 tell me how it relates.

11 MR. AMIRI: Mr. Counsel, your

12 objections are slowing down the

13 deposition --

14 MR. DYKES: Okay. Then, let's

15 call the judge.

16 MR. AMIRI: -- and distracting

17 my focus off the topic.

18 MR. DYKES: Okay.

19 MR. AMIRI: Can you please let

20 me ask my questions --

21 MR. DYKES: No. I have

22 given --

23 MR. AMIRI: -- without

Page 241

1 distraction?

2 MR. DYKES: -- you a lot of

3 leeway on your questions today, and

4 if -- if you -- I'm -- I'm -- the --

5 the -- the process and procedure for

6 selecting Dr. Pinkert's re- -- I'm --

7 no. If we need to call Judge Proctor's

8 office, let's call him now.

9 MR. AMIRI: No. It is being

10 recorded, and we will follow the

11 proceedings later on on this. You are

12 asking that --

13 MR. DYKES: I'm telling her not

14 to answer a question related to that

15 because it is in no shape, form, or

16 fashion relevant to anything that we're

17 here for today, so.

18 MR. AMIRI: Then I will ask the

19 court's opinion later on because I want

20 to continue with my other questions.

21 MR. DYKES: Okay. That's fine.

22 BY MR. AMIRI:

23 Q. Could you please tell me what

<p style="text-align: right;">Page 242</p> <p>1 is the pass-and-fail course and what is 2 a credit course?</p> <p>3 A. Um, there's such a broad answer 4 to that. When a course is proposed, the 5 proposal contains a request that it 6 either be a graded course or a pass/fail 7 course. So there are different reasons 8 why a course might be deemed a pass/fail 9 course. Often it's because it doesn't 10 have a specific syllabus, specific 11 assignment, and it's up to the person 12 grading that course to say the 13 expectations were roughly met or not 14 met.</p> <p>15 In the case of dissertation 16 research, the criteria are less specific 17 because dissertations and doctoral 18 programs operate so differently from 19 each other. So the purpose of that 20 course is to maintain a student's access 21 to the library, to the university 22 facilities, to the faculty, and so it's 23 pass/fail because it's a mechanism for</p>	<p style="text-align: right;">Page 244</p> <p>1 can make a decision to give an 2 incomplete or an F.</p> <p>3 Q. So it is possible that somebody 4 failed a dissertation research course, 5 and his six credit hours every semester, 6 and he will get F grade or zero in that?</p> <p>7 A. That can happen.</p> <p>8 Q. Do you know if it happened in 9 my case?</p> <p>10 A. I don't. I tho- -- I thought 11 you had an "I" grade. That's my 12 recollection, an incomplete.</p> <p>13 Q. In my transcript, I had zero 14 for this course. And --</p> <p>15 A. What does zero mean? Zero is 16 not a grade. Is it an incomplete?</p> <p>17 Q. My understanding is that the 18 GPA courses are counted different from 19 pass-and-fail courses. So the GPA 20 courses can affect GPA, but the 21 pass-and-fail courses, because they are 22 counted differently, they cannot affect 23 GPA?</p>
<p style="text-align: right;">Page 243</p> <p>1 keeping students enrolled. Does that 2 make sense?</p> <p>3 Q. Yes. Can a pass-and-fail 4 course affect the GPA?</p> <p>5 A. If the student passes, the P 6 grade does not affect the GPA. If a 7 student fails, it does affect the GPA.</p> <p>8 Q. How it can affect?</p> <p>9 A. Because it's calculated in as 10 an F. A P is just cal- -- not 11 calculated in, because imagine you have 12 a 3.0 and you get P, P, P, P, P, you 13 still have a 3.0. If you had a 4.0, and 14 then you get P, P, P, P, P, you still 15 have a 4.0. But, if you fail, then 16 the zero is calculated in. So, if you 17 fail, your grade point average drops.</p> <p>18 Q. If the course to be continued, 19 it is not finished, what would be the 20 effect?</p> <p>21 A. Then you receive a grade of 22 incomplete, if the professor is willing 23 to give an incomplete. The professor</p>	<p style="text-align: right;">Page 245</p> <p>1 A. The F affects your GPA; a P 2 does not affect your GPA. So pass/fail 3 courses can affect your GPA if they're 4 Fs.</p> <p>5 Q. But --</p> <p>6 A. But if they are Ps, then they 7 do not affect your grade point --</p> <p>8 Q. But --</p> <p>9 A. -- average.</p> <p>10 Q. -- let's assume that -- that 11 the student has 50 GPA courses, 50 12 credit hour, and he had 30 credit hour 13 dissertation research. So, if the 14 student fails si- -- six credit in his 15 dissertation research, in order to count 16 it in GPA, you need to decrease 30 to 24 17 and add that six credit into GPA to make 18 it more -- in order to account for that 19 change.</p> <p>20 A. I'm -- I'm not following that, 21 but also I think you'd have to ask a 22 registrar that question. This is not 23 my -- these calculations are not in my</p>

<p style="text-align: right;">Page 246</p> <p>1 area of expertise, so I'm not --</p> <p>2 Q. Okay.</p> <p>3 A. -- sure how to calculate --</p> <p>4 Q. So your answer is that it can</p> <p>5 affect?</p> <p>6 A. An F can affect.</p> <p>7 (PLAINTIFF'S EXHIBIT NO. 10</p> <p>8 MARKED)</p> <p>9 MR. AMIRI: I'm introducing</p> <p>10 Exhibit Number 10.</p> <p>11 MR. DYKES: (Reviews document)</p> <p>12 BY MR. AMIRI:</p> <p>13 Q. In this page, you sent an email</p> <p>14 on June 23rd, 2017, to Dr. Han.</p> <p>15 A. Um-hum.</p> <p>16 Q. Can you please read that email?</p> <p>17 A. "Hi, Luoheng. Can you briefly</p> <p>18 tell me the specific grounds on which</p> <p>19 his access to the lab was taken away?</p> <p>20 Was it because of failure to make</p> <p>21 progress on the research, or what was</p> <p>22 the justification I should convey to</p> <p>23 legal counsel? Brevity is fine here."</p>	<p style="text-align: right;">Page 248</p> <p>1 to do with all the other pieces. I was</p> <p>2 getting a lot of pieces of this at the</p> <p>3 same time on that day, and I was making</p> <p>4 sure that everyone acted within the</p> <p>5 scope of their responsibilities. And I</p> <p>6 was trying to understand it to make that</p> <p>7 judgment.</p> <p>8 Q. Yes. My question is about</p> <p>9 brevity. I mean, does he need to be</p> <p>10 brave to give you the truth or --</p> <p>11 A. No, brief. Brief. That --</p> <p>12 that's the -- "brevity" means be brief.</p> <p>13 Q. I see. Okay.</p> <p>14 A. Not brave.</p> <p>15 Q. I see. Can you go to the next</p> <p>16 page?</p> <p>17 A. Yes.</p> <p>18 Q. Here you send an email on</p> <p>19 June 23rd, 2017. It is two lines. Can</p> <p>20 you please read that?</p> <p>21 A. The one to Director Dorsey?</p> <p>22 Q. Yes.</p> <p>23 A. "Dear Director Dorsey: One</p>
<p style="text-align: right;">Page 247</p> <p>1 Q. Can you please tell me what it</p> <p>2 means when you tell that "brevity is</p> <p>3 fine here"?</p> <p>4 A. It means that I don't need to</p> <p>5 know the whole story; I just need to</p> <p>6 know whether failure -- was there</p> <p>7 failure to make progress or was there</p> <p>8 something else. Is this a dispute? Is</p> <p>9 this a difference of opinion? Is</p> <p>10 there -- what -- what -- what's going</p> <p>11 on? This is my way of asking what's</p> <p>12 going on here --</p> <p>13 Q. Yes.</p> <p>14 A. -- because I didn't have the</p> <p>15 details at that time, and I needed to</p> <p>16 know the grounds because, as I said, my</p> <p>17 job is to make sure that the committee</p> <p>18 acted in -- in accordance with its</p> <p>19 scope. I don't remember if I wrote this</p> <p>20 email before or after I saw the report</p> <p>21 from the committee, but that was my</p> <p>22 question, because, at this time, I was</p> <p>23 confused about the lab and what that had</p>	<p style="text-align: right;">Page 249</p> <p>1 further item on Amiri. The letter from</p> <p>2 the lab director, containing rationale</p> <p>3 for denial of access to the lab." So I</p> <p>4 was giving it to him. Right? "Can you</p> <p>5 let me know whether I should proceed to</p> <p>6 consult with legal counsel on the</p> <p>7 academic options at this point?"</p> <p>8 So this is where I was asking,</p> <p>9 if you can't get in the lab, what does</p> <p>10 this mean for your research? What does</p> <p>11 it mean for your student status? So</p> <p>12 that- -- that's what I was trying to</p> <p>13 understand at this time.</p> <p>14 Q. Yes. Can you please explain</p> <p>15 what was the rationale, the rationale</p> <p>16 that you are referencing here?</p> <p>17 A. I would need to see the letter.</p> <p>18 Q. It is next page.</p> <p>19 A. Okay. (Reviews document) So</p> <p>20 this is the rationale. Number one, you</p> <p>21 don't have a supervisor in MINT. Right?</p> <p>22 Number two, you're not being supported</p> <p>23 by any research funds. So you -- you</p>

<p style="text-align: right;">Page 250</p> <p>1 had mentioned that you have access to 15 2 labs, but, you know, the question is, do 3 you have the right to use the labs. And 4 he's saying here, if you don't -- if not 5 being supported by research funds, you 6 don't have a right to access in the lab. 7 That's what the lab director is saying. 8 Q. So that is acceptable rationale 9 for you? 10 A. (Nods affirmatively) 11 Q. But the correct information is 12 that I had an advisor and I had a fund 13 that I contributed to that fund, so I 14 had a portion in that fund my- -- 15 myself. The fund that I was using was 16 the -- 17 A. Those aren't -- those aren't 18 your funds -- 19 MR. DYKES: Object to the form. 20 A. -- when you're not a student 21 anymore. 22 BY MR. AMIRI: 23 Q. But I am a student at this</p>	<p style="text-align: right;">Page 252</p> <p>1 A. I'm -- 2 Q. Let's get back to this. 3 A. Yeah. 4 Q. So the rationale that you are 5 telling here is not correct. I'm -- 6 A. Okay. 7 Q. -- rejecting that. 8 A. Okay. That's -- 9 Q. I'm ha- -- 10 A. -- that is your right to -- 11 Q. I -- 12 A. -- reject that. I was -- 13 Q. And I have evidence -- 14 A. -- accepting that and 15 forwarding it to Dr. -- to Director 16 Dorsey. That's -- that was what I did 17 at this time. 18 Q. You did not get my side of 19 view; you just forwarded the email of 20 Dr. Suzuki? 21 A. I did. 22 Q. And I have evidence that the 23 email is wrong?</p>
<p style="text-align: right;">Page 251</p> <p>1 time -- 2 A. On June 20th. 3 Q. I -- my position is that I was 4 still in until 2018, until I find -- 5 filed the lawsuit. That time you 6 dismiss me. 7 A. 2017? 8 Q. 2018. You dismi- -- dismissed 9 me on February 2018, not in 2017. That 10 is my position. 11 A. Okay. 12 Q. In 2017, you gave me verbal 13 warning that I should not enter to any 14 building, and I did take it serious 15 because I knew that you incarcerated 16 another physics student based on -- 17 A. Are you -- are you talking to 18 me? 19 Q. I'm explaining to you that you 20 reference that -- 21 A. Are you speaking to Dr. Suzuki 22 right now? 23 Q. Okay.</p>	<p style="text-align: right;">Page 253</p> <p>1 A. And that evidence would have 2 come up in a grievance process. 3 Q. Okay. We get back to that 4 point -- 5 A. Yes -- 6 Q. -- again. 7 A. -- we keep getting back to that 8 point. 9 Q. No problem. That is your 10 answer. 11 A. Yeah. 12 Q. So did you know that just a few 13 days before this, on June 19, President 14 Bell asked from provost and Vice 15 President Carl Pinkert to investigate a 16 theft incident in the MINT Center? 17 A. No. 18 Q. But President Bell asked from 19 Provost Whitaker, and you're associate 20 provost. 21 A. Yeah, but I sure don't know 22 everything that happens with Provost 23 Whitaker.</p>

<p style="text-align: right;">Page 254</p> <p>1 Q. But --</p> <p>2 A. I have a very specific set of</p> <p>3 jobs.</p> <p>4 Q. But I reported that theft. You</p> <p>5 are the dean --</p> <p>6 A. A theft, you say?</p> <p>7 Q. Yes.</p> <p>8 A. Um-hum.</p> <p>9 Q. I -- I reported --</p> <p>10 A. Yeah, no, I wouldn't know about</p> <p>11 it. I don't know about everything that</p> <p>12 goes to Provost Whitaker.</p> <p>13 Q. So when you talked to Dr. Han,</p> <p>14 he didn't tell you that I reported this</p> <p>15 theft incident in the lab?</p> <p>16 A. I don't remember it, but I</p> <p>17 wouldn't remember it because it wouldn't</p> <p>18 have to do with my area. So I don't</p> <p>19 remember it, no.</p> <p>20 Q. I'm thinking that, if I report</p> <p>21 a theft incident in the MINT Center, the</p> <p>22 letter from MINT need to be considered a</p> <p>23 little bit more diligently.</p>	<p style="text-align: right;">Page 256</p> <p>1 skip the levels and say that the</p> <p>2 president can control the grievance</p> <p>3 process. That's not the way the process</p> <p>4 works.</p> <p>5 BY MR. AMIRI:</p> <p>6 Q. Dr. Carvalho, theft incident</p> <p>7 cannot go through grievance procedure.</p> <p>8 Theft incident need to be handled</p> <p>9 immediately.</p> <p>10 A. So I -- that certainly wouldn't</p> <p>11 be my area. So, if you have a question</p> <p>12 for me, it probably wouldn't be about</p> <p>13 the theft incident.</p> <p>14 Q. But you are in contact with</p> <p>15 police department. You are report- --</p> <p>16 A. I was giving him information</p> <p>17 related to the questions I had asked</p> <p>18 him, which were not related in any way</p> <p>19 to what you're talking about now.</p> <p>20 Q. No, I'm -- it is all related to</p> <p>21 each other. You are reporting to police</p> <p>22 department the communication I have with</p> <p>23 MINT Center.</p>
<p style="text-align: right;">Page 255</p> <p>1 A. Hmm.</p> <p>2 Q. More carefully.</p> <p>3 MR. DYKES: Object to the form.</p> <p>4 A. And that would have come up in</p> <p>5 the grievance process. If we were</p> <p>6 deliberating this, it would be in a</p> <p>7 grievance process. I did not -- we were</p> <p>8 not in a grievance process, so I took</p> <p>9 this --</p> <p>10 BY MR. AMIRI:</p> <p>11 Q. But when the president directly</p> <p>12 gives an order --</p> <p>13 A. I wasn't in that loop.</p> <p>14 Q. But it is over a grievance</p> <p>15 procedure.</p> <p>16 A. No, it isn't.</p> <p>17 MR. DYKES: No --</p> <p>18 A. See this is --</p> <p>19 MR. DYKES: -- object to the</p> <p>20 form.</p> <p>21 A. -- fundamental</p> <p>22 misunderstanding, fundamental to our</p> <p>23 conversation all day. You can't go --</p>	<p style="text-align: right;">Page 257</p> <p>1 A. I did.</p> <p>2 Q. And couple of days before that,</p> <p>3 I reported a theft incident in MINT</p> <p>4 Center to president, and president asked</p> <p>5 from provost and vice president to</p> <p>6 investigate the situation.</p> <p>7 A. Well, you would know more about</p> <p>8 what happened next than I would. I</p> <p>9 don't know what happened next.</p> <p>10 Q. What happened next is that a</p> <p>11 group of professors send the police</p> <p>12 officers to my door. They took the keys</p> <p>13 and they stepped down Vice President</p> <p>14 Carl Pinkert. They terminated a few</p> <p>15 professors who was doing investigation.</p> <p>16 A. Okay.</p> <p>17 MR. DYKES: I'm going to</p> <p>18 object.</p> <p>19 A. Is there a question for me?</p> <p>20 BY MR. AMIRI:</p> <p>21 Q. No.</p> <p>22 A. Okay.</p> <p>23 Q. You -- you asked; I --</p>

65 (Pages 254 - 257)

<p style="text-align: right;">Page 258</p> <p>1 MR. DYKES: I still object to 2 his -- 3 BY MR. AMIRI: 4 Q. -- volunteered that answer, 5 but. 6 MR. DYKES: -- soliloquy. 7 MR. AMIRI: I will introduce 8 Exhibit Number 11. 9 (PLAINTIFF'S EXHIBIT NO. 11 10 MARKED) 11 MR. DYKES: (Reviews document) 12 BY MR. AMIRI: 13 Q. This is one-page exhibit. Can 14 you -- 15 A. Yes. 16 Q. -- please tell me what is the 17 content of this exhibit? 18 A. This was related to, I believe, 19 an email that you sent to the Office of 20 the Governor. Is that -- I believe. 21 And the Office of the Governor reached 22 out to our government liaison official, 23 R.B. Walker, and asked him, "Can you</p>	<p style="text-align: right;">Page 260</p> <p>1 was and is no longer an enrolled 2 student," because this was July 20th. 3 Q. Is this the only email you 4 received from Office of Governor Kay 5 Ivey? 6 A. Yes. About you? Yes. 7 Q. You did not receive any other 8 email from them in the coming months -- 9 A. Related to you? 10 Q. Yes. 11 A. I don't believe I did, no. 12 Q. So in September 2017 and 13 October 2017, you did not get any email 14 or any communication with Governor Kay 15 Ivey's office? 16 A. I don't remember. I know that 17 I read something that you had sent to 18 the governor's office related to job 19 creation in Alabama and a discovery you 20 had made. What I don't remember -- and 21 so, because you're asking me this, I'm 22 questioning, was that attached to this 23 or did it come later? I don't remember.</p>
<p style="text-align: right;">Page 259</p> <p>1 I confirm who this is?" 2 And R.B. Walker asked me, "Can 3 you confirm who this is?" 4 Q. Can you please read the email 5 that was sent to you? It is one line. 6 A. He -- R.B. asked me -- 7 Q. Yes. 8 A. -- "He enrolled?" which is a 9 short way of asking, "Is he enrolled?" 10 Q. Yes. And the next answer? 11 The -- the next line is? 12 A. Bryan Taylor had asked, "R.B., 13 can you confirm whether this person is 14 in fact a doctoral candidate at UA 15 Department of Physics?" 16 So then R.B. forwarded that to 17 me and asked, "Is he enrolled?" 18 Q. Could you please tell me did 19 you answer through this email? 20 A. I think I did. I generally 21 answer R.B. Walker. But I don't have 22 the answer in front of me. I assume 23 that I wrote back to him and said, "He</p>	<p style="text-align: right;">Page 261</p> <p>1 But I know that I had that 2 communication. I -- I never had any 3 direct -- I never answered the 4 governor's office directly -- 5 Q. Thi- -- 6 A. -- so I don't have 7 correspondence with the governor's 8 office, and I don't remember when I saw 9 that letter, and I'm -- I'm assuming 10 that letter was the one that you sent to 11 the governor where I saw that. 12 Q. Yes. This communication here 13 is on July 17th. 14 A. (Nods affirmatively) 15 Q. My question is, in August, 16 September, or October 2017, have you 17 received any email that being forwarded 18 even to you? 19 A. If I did, I don- -- I'm not 20 remembering. So, if you have one that I 21 should look at, I'll gladly review it. 22 But I'm -- I'm not remembering any -- 23 MR. DYKES: And, if there was</p>

<p style="text-align: right;">Page 262</p> <p>1 one that was to her about you, and it 2 was not privileged -- and I'm -- I'm not 3 saying that one has been withheld 4 because of privilege -- but, if there 5 was one to her that was not privileged, 6 you've got it, so. 7 BY MR. AMIRI: 8 Q. So -- 9 A. So you -- 10 Q. -- you remember that you 11 answered this email? 12 A. I am assuming that I answered. 13 I don't remember answering it, but I 14 always answer, so. 15 Q. And it is not produced. 16 A. An answer to R.B. Walker? 17 Q. Yes. It was not produced based 18 on the court's order on February 13. 19 MR. DYKES: If there were 20 privileged emails that she was involved 21 with that involved counsel, they were 22 not produced, because, if they're 23 privileged, you're not entitled to</p>	<p style="text-align: right;">Page 264</p> <p>1 and redact all of the content. Is this 2 correct? 3 MR. DYKES: If it's involved 4 counsel, we -- we did not -- we -- no, 5 we -- we did not produce it if it is a 6 privileged email. 7 MR. AMIRI: So she's telling 8 that she answered this -- 9 THE WITNESS: No, I said -- 10 MR. AMIRI: -- email. 11 THE WITNESS: -- I don't 12 remember it, but I always answer emails. 13 That's all I'm saying. 14 A. I don't -- 15 BY MR. AMIRI: 16 Q. So it is -- 17 A. -- remember answering it. 18 Q. -- most probably you answered 19 that. What is your best guess? What is 20 your best? 21 A. I -- I -- I assume that I 22 answered it. I can't really guess. 23 Maybe I -- I don't know.</p>
<p style="text-align: right;">Page 263</p> <p>1 those. 2 MR. AMIRI: But the court order 3 on February 13 -- 4 MR. DYKES: Correct. 5 MR. AMIRI: -- tells that you 6 should produce all of them, but you can 7 black them. You can black the parts 8 that are privileged. When you are not 9 producing, it means that he -- she did 10 not respond. Is this correct? 11 MR. DYKES: I -- I do not 12 re- -- I -- I'm just telling you in 13 general, because I don't have the emails 14 in front of me, every email that she 15 sent that had related to you, she 16 sent/received, pursuant to the court's 17 order, we produced. And if it was -- as 18 you can see, we redacted a -- or there 19 because it was privileged. If the 20 entire email was privileged, we did not 21 produce the email. 22 MR. AMIRI: But, based on this 23 court order, you can produce the email</p>	<p style="text-align: right;">Page 265</p> <p>1 MR. DYKES: As I said, if she 2 responded and it was not privileged, we 3 would have produced it. And if she had 4 responded directly to them without a 5 lawyer involved, we would have produced 6 it. So, if there's not a -- if she 7 responded or if there was a response and 8 it involved lawyers and it was 9 privileged, we did not produce it, no. 10 MR. AMIRI: At the time of this 11 email, there was no lawsuit -- 12 MR. DYKES: But -- 13 MR. AMIRI: -- so there is no 14 attorney/client -- 15 MR. DYKES: There is 16 attorney/client -- 17 MR. AMIRI: -- privilege. 18 MR. DYKES: -- privilege when 19 you are asking advice of counsel. There 20 is a privilege there. So you're not 21 entitled to emails between our client 22 and our office, so. 23 MR. AMIRI: At which time?</p>

Page 266

1 THE WITNESS: At any time.
 2 MR. DYKES: At any time. If it
 3 involves them seeking legal advice,
 4 you're not entitled to those.
 5 MR. AMIRI: But the court
 6 order.
 7 MR. DYKES: And the court
 8 ordered that, but the court's order does
 9 not preempt an attorney/client
 10 privilege.
 11 MR. AMIRI: But the court order
 12 reads that, for the time period between
 13 January 1st, 2016, and February 28,
 14 2018, as plaintiff re- -- requested in
 15 his first request for production.
 16 MR. DYKES: Yeah.
 17 MR. AMIRI: And my lawsuit
 18 started in March 2018. That is the
 19 first time I filed that. So this period
 20 that court entered order is outside of
 21 the time that --
 22 MR. DYKES: Does not mean that
 23 the emails are not privileged.

Page 267

1 MR. AMIRI: So . . .
 2 MR. DYKES: We have produced --
 3 and I -- I was lenient and actually
 4 included emails where counsel is
 5 referenced, where whether or not they
 6 were going to talk to counsel about
 7 issues related to you. I -- I erred on
 8 the side of producing more than I
 9 normally would. But if it was an email
 10 where it discussed legal -- where it was
 11 seeking legal advice and counsel was
 12 there, those are privileged emails and
 13 you're not entitled to -- to those
 14 emails. And, again, if you want to call
 15 Judge Proctor's office and talk about
 16 it, I'm happy to do it. But the --
 17 THE WITNESS: Maybe that
 18 happened and maybe I called him; I don't
 19 know.
 20 MR. DYKES: But those emails --
 21 THE WITNESS: But, if I wrote
 22 an email, you'd have it, unless it was
 23 privileged.

Page 268

1 MR. DYKES: That's correct.
 2 MR. AMIRI: I'm producing
 3 Exhibit Number 12.
 4 (PLAINTIFF'S EXHIBIT NO. 12
 5 MARKED)
 6 THE WITNESS: Sorry. Forgot.
 7 (Tenders document)
 8 MR. DYKES: (Reviews document)
 9 BY MR. AMIRI:
 10 Q. So Exhibit Number 12 is two
 11 pages. The first page, there is an
 12 email that you sent to --
 13 A. -- the registrar in my office.
 14 Q. Yes. On June 28, 2017. Can
 15 you please read that email?
 16 A. "Hi, Beth. Mr. Ali Amiri was
 17 dismissed from the Physics doctoral
 18 program on 5/26, see email below,
 19 following the department advisory
 20 committee's April review attached. Will
 21 you place a hold on his registration for
 22 fall 2017, if he has not already
 23 registered? I'll let you know when we

Page 269

1 can send the letter to him informing him
 2 of this hold. We should not send it
 3 yet."
 4 Q. What is the reason that you
 5 should not send it yet?
 6 A. Because I had not yet involved
 7 the Capstone International. I didn't
 8 have all the information in front of me.
 9 I wanted to make sure that we did not
 10 misstep with a letter that's so life
 11 changing.
 12 Q. How you could make a mistake in
 13 sending that letter? I mean, if you
 14 inform me earlier, it is better, isn't
 15 it?
 16 A. On- -- only once the facts are
 17 all in front of me.
 18 Q. You mean in -- in that point in
 19 June 28, it was possible that you make
 20 your -- change your decision and not to
 21 send this letter?
 22 A. I was still learning facts. I
 23 was still learning facts, and I did not

Page 270

1 want to send the letter until I learned
 2 all the facts.
 3 Q. So my question --
 4 A. But I also didn't want you to
 5 register for fall classes if you had
 6 been dismissed. So we were putting a
 7 hold on the record while we figured all
 8 of that out. But I did not want to send
 9 the letter until I knew what all of the
 10 pieces were.
 11 Q. So wha- -- when --
 12 A. I was learning a lot in these
 13 days.
 14 Q. My question is, you tell that
 15 we should not send it yet. Does it mean
 16 that it is possible that you make
 17 your -- change your decision and not to
 18 send it, or it was not possible?
 19 A. It means I needed to make sure
 20 the department was acting appropriately
 21 before I endorsed it and in the ways
 22 that I have described to you, consulting
 23 the Physics Handbook, understanding the

Page 271

1 chain of emails, and then I would send
 2 the letter. But I knew the letter would
 3 have a significant impact. It's life
 4 changing. I wanted Capstone
 5 International involved. I wanted to
 6 know whether you would understand the
 7 consequences that it brought. So I
 8 wanted to have those conversations.
 9 Q. And how long it took for you
 10 to -- to have those conversations?
 11 A. I -- we sent the letter the
 12 next day. Right?
 13 Q. Yes.
 14 A. I was already having the
 15 conversations on this day. The --
 16 you've seen the conversations.
 17 Conversations with Director Dorsey,
 18 conversations with Luoheng,
 19 conversations with Charter in the
 20 Capstone International. Those were the
 21 conversations I had. That puts all the
 22 pieces together for me.
 23 Q. So that is the reason that you

Page 272

1 are asking her wait and not send the
 2 letter?
 3 A. Yes.
 4 Q. Can you see the next page? In
 5 the bottom you send an email on Tuesday,
 6 August 29 to Morris Charter.
 7 A. (Nods affirmatively)
 8 Q. Can you please this -- read
 9 this email?
 10 A. This is in August, and he --
 11 you -- he emailed you on 6/30. Right?
 12 Q. I -- I don't remember what the
 13 exact --
 14 A. "Since your email to him on
 15 6/30." So it says, "Hi, Charter. Can
 16 you update me on whether you have had
 17 any further conversations with Ali
 18 Amiri, Physics student dismissed in
 19 July" -- it was actually the end of
 20 June. Right? -- "since your email to
 21 him on 6/30/2017? And has the
 22 information of his dismissal been
 23 communicated to SEVIS? I ask because he

Page 273

1 is seeking for the provost to reinstate
 2 him as a student. I wonder if he will
 3 have received any communication from
 4 SEVIS himself?"
 5 Q. Did I ask from provost to
 6 reinstate me?
 7 A. I don't know. I assume so from
 8 this. I don't remember what prompted
 9 this email. Something must have
 10 prompted this email. I don't remember.
 11 Q. And in the first part of this
 12 email, you are telling that "Physics
 13 student dismissed in July."
 14 A. It was actually June.
 15 Q. It was in June?
 16 A. The let- -- the date of my
 17 letter was June. Right?
 18 Q. Can you go back to the previous
 19 let- -- page?
 20 A. (Witness complies)
 21 Q. It reads, "Hi, Beth. Mr. Ali
 22 Amiri was dismissed from the Physics
 23 doctoral program on 5/26."

69 (Pages 270 - 273)

Page 274

1 A. Um-hum. I was referencing here
 2 my letter.
 3 Q. So what is the date on your
 4 letter?
 5 A. I thought it was 6/29, wasn't
 6 it?
 7 Q. It is Exhibit Number 2.
 8 A. Six/29.
 9 Q. So we have three date?
 10 A. Yes. Yes, I should have said
 11 "June" here. Charter spoke -- emailed
 12 you on 6/30. I had spoken with Charter,
 13 before we sent this, to make sure that
 14 you would have all the information. So
 15 when I sent you this --
 16 MR. DYKES: And when you're
 17 saying "this," that's the June 29th --
 18 A. The June 29th letter -- and
 19 then Charter emailed you on June 30th.
 20 BY MR. AMIRI:
 21 Q. Now can you look at these three
 22 dates and let me know what is your final
 23 decision? What was the date for my

Page 275

1 dismissal?
 2 A. July -- June 29th.
 3 Q. Are you sure?
 4 A. I guess I am. I don't know
 5 what -- why you're asking. I feel like
 6 something might come -- some new piece
 7 of information, but thi- -- this is the
 8 date.
 9 Q. The date of dismissal from your
 10 point of view is June 29?
 11 A. This is the date that would
 12 have terminated your visa, that would
 13 have triggered the termination of your
 14 visa. You were dismissed from the
 15 Physics program when Patrick LeClair
 16 sent you the email.
 17 Q. Um-hum. That is 5/26. Is this
 18 right?
 19 A. I think so.
 20 Q. You have all --
 21 A. Do you want me to look?
 22 Q. -- the dates in front of you.
 23 A. Well, okay. I'll verify.

Page 276

1 (Reviews documents) Which -- which one
 2 is that? Where's the -- Exhibit 3,
 3 page 8. April 28th was the committee
 4 report, and then Dr. LeClair's email to
 5 you was May 26th, 5/26, yes. Do you
 6 want me to leave it out?
 7 Q. So can you tell me when I was
 8 dismissed from University of Alabama?
 9 A. June 29th.
 10 Q. So when you're writing to
 11 Mr. Charter the "student dismissed in
 12 July," this is not correct? This is --
 13 A. That is not correct; it was
 14 June.
 15 MR. DYKES: If -- are you done
 16 with that docu- -- if you're done with
 17 that document, we've been going about an
 18 hour, and I'd like to take a break. If
 19 you want -- have more questions on that
 20 document, go ahead and ask. I don't
 21 want to interrupt your train of thought.
 22 MR. AMIRI: Just give me five
 23 more minutes.

Page 277

1 MR. DYKES: Okay.
 2 BY MR. AMIRI:
 3 Q. But in these dates, there was
 4 another incident when you told that, "We
 5 should not send that letter yet."
 6 A. No, that was in June.
 7 Q. Yeah. Please look at Exhibit
 8 Number 12.
 9 A. Yes.
 10 Q. In June 28, yes.
 11 A. Yes.
 12 Q. You are telling that, "We
 13 should not send the letter." Yes?
 14 A. On June 28th, but we sent it on
 15 June 29th.
 16 Q. Yes. But there was some other
 17 incidents going around that time. Most
 18 of your emails was on June 26 in the
 19 afternoon, most of the emails we heard
 20 today.
 21 A. Um-hum.
 22 Q. In the morning of June 26,
 23 there was an armed police operation that

70 (Pages 274 - 277)

<p style="text-align: right;">Page 278</p> <p>1 the police officers come to my door and 2 took the key, and most of your 3 communications, most of your meetings, 4 are after that one, aft- -- in the 5 afternoon of June 26. And in June 30, 6 there was another armed police operation 7 that they attacked my residence again, 8 and they entered my house, into my 9 apartment, without any warrant or court 10 order. When you are telling that, when 11 you are saying that, "Don't send the 12 letter yet," is it possible that it is 13 connected to the coordination with the 14 police department? 15 A. No, no. 16 Q. So, on June 28, you knew that 17 there was a police operation on June 26? 18 A. I knew they had taken -- 19 MR. DYKES: Object to the form. 20 A. -- your keys, denied you access 21 to the lab. That I knew. 22 BY MR. AMIRI: 23 Q. And gave me a warning that I</p>	<p style="text-align: right;">Page 280</p> <p>1 for the break. 2 VIDEOGRAPHER: We are going off 3 the record at 2:18. 4 (A BREAK WAS TAKEN) 5 VIDEOGRAPHER: This begins 6 media unit number 4. We're back on the 7 record at 2:31. 8 (PLAINTIFF'S EXHIBIT NO. 13 9 MARKED) 10 MR. AMIRI: Yes. I'm 11 introducing Exhibit Number 13. 12 MR. DYKES: (Reviews document) 13 BY MR. AMIRI: 14 Q. This is an email that you sent 15 to Mr. Morris Charter on June 30 at 9:23 16 a.m. 17 A. (Nods affirmatively) 18 Q. Can you please read the first 19 paragraph? 20 A. "Hi, Charter. Just FYI, I 21 learned today that the letter from the 22 Graduate School to Ali Amiri confirming 23 the hold on his fall registration and</p>
<p style="text-align: right;">Page 279</p> <p>1 should not enter to any building. 2 A. (Nods affirmatively) 3 Q. You knew that? 4 A. I don't remember if I knew that 5 or not. I was only concerned with my 6 part, which had to do with the lab. 7 Q. So your statement is that, on 8 June 28, when you are telling that, 9 "Don't send the letter yet," it is not 10 related to the police operations -- 11 A. No. 12 Q. -- which was going to happen 13 on 30? 14 A. Definitely not. 15 Q. Did you know that there is a 16 schedule to attack my resident- -- 17 residence again on June 30? 18 A. I had -- 19 MR. DYKES: Object to the form. 20 A. -- no knowledge of any police 21 action that would happen that week, no. 22 No. 23 MR. AMIRI: Okay. We can go</p>	<p style="text-align: right;">Page 281</p> <p>1 his dismal from UA, attached, was sent 2 via regular mail, not email, yesterday, 3 so he will not have received it. He 4 only received the communication from his 5 department chair." Do you want me to 6 read the next par- -- line? 7 Q. No. So, in June 30, you 8 informed that you learned that the 9 letter that you send in 29 will not 10 reach to my hand by a -- a few days at 11 least. 12 A. Right. By the time Charter was 13 communicating with you. 14 Q. Yes. And the two police 15 operations, which was done on 26 and 30, 16 would be finished before that letter 17 comes to me. Is this correct? 18 MR. DYKES: Object to the form. 19 A. That's what you're telling me, 20 but I really had no -- zero knowledge of 21 the police operations, none. What I was 22 concerned about here was Charter's 23 communication with you and making sure</p>

Page 282

1 that you understood the situation you
2 were in.

3 BY MR. AMIRI:

4 Q. Yes. But do you confirm that,
5 by the end of June 30 in the afternoon,
6 I would not received your letter?

7 A. Unless the mail was very fast,
8 I would assume that you would not have
9 received the letter, and I wanted you to
10 receive the letter at the time you were
11 communicating with Charter, so that you
12 would have the information you need.

13 Q. Yes. Can you please read the
14 second paragraph?

15 A. "Because there was some
16 ambiguity in the way the department
17 email was written, I hope he understands
18 that the department did not just
19 withdraw financial support for the
20 coming year, but actually dismissed him
21 from the program."

22 Q. Can you explain this statement?

23 A. Yes. In Dr. LeClair's email,

Page 283

1 the phrase that dismisses you is the
2 phrase that says, "I am obliged to
3 follow their recommendation." That
4 isn't clear enough for someone who
5 doesn't want to hear that news, and I --
6 I wished it had been a sentence that
7 says, "You are dismissed from the
8 program." This is a softer way of
9 saying it, but I didn't know if you
10 understood it, because you were still
11 going to the lab as if this hadn't
12 happened, and I wanted you to understand
13 the situation.

14 As I said in the third
15 paragraph, my letter was unambiguous.
16 It would clarify the situation, but you
17 wouldn't have received it yet. And so,
18 at this time when I wrote this, I didn't
19 know if you understood fully what the
20 situation was, that you had been
21 dismissed. I wasn't sure if you knew or
22 didn't know, and I wanted you to know
23 before you were talking to Charter, so

Page 284

1 that you could make the decisions you
2 needed to make.

3 Q. Okay. So you are aware of the
4 ambiguity in the email. You are aware
5 that I am using the lab still.

6 A. The -- well, I knew they took
7 the keys, so I assumed that meant
8 something.

9 Q. Um-hum.

10 A. I was asking about your denial
11 of access to the lab. So, no, I didn't
12 know you were in the lab, but I assumed
13 that you were acting as you had acted
14 before, pursuing your research.

15 Q. Can you read, please, the last
16 paragraph?

17 A. "The Graduate School letter
18 would clarify that, but he hasn't
19 received it. So, if you can assess
20 whether he understands the situation or
21 not, that would be helpful all around.
22 I just didn't want you to assume that he
23 is fully aware, as he might not be. If

Page 285

1 I need to clarify this with him right
2 away, please let me know."

3 Q. Thank you. So, based on these
4 emails that -- and you didn't know about
5 police operations. as you are --

6 A. That's correct.

7 Q. -- claiming -- so, when I
8 received your email, and, after that
9 time, I was not -- I didn't know that
10 your position is that I am dismissed,
11 after that time there was two police
12 operations. Both of them broke into my
13 apartment without any search warrant and
14 without any court order, and they
15 even -- I mean, I was student at that
16 time. We -- everybody's position, at
17 least on the surface was that. Nobody
18 notifies me, and you -- the only email I
19 received is from Physics Department,
20 that in your letter you are telling it
21 is ambiguous. So it was possible that
22 there was some bad incident happens.
23 For example, if I was confronting those

72 (Pages 282 - 285)

<p style="text-align: right;">Page 286</p> <p>1 police officers, they would get me into 2 custody. Do you think that the Un- -- 3 the University should be careful about 4 these in- -- incidents? 5 MR. DYKES: Object to the form. 6 A. I -- I would be speculating 7 about that. I -- I don't -- I -- I 8 can't make any judgment about what the 9 police are doing. I don't have any 10 basis. 11 BY MR. AMIRI: 12 Q. When we -- after here, we come 13 to the point that, by the evening of 14 June 30, I was not clearly understood 15 that the University want to dismiss me. 16 I wasn't clear I lost my financial 17 support. Yes? 18 A. (Nods affirmatively) 19 Q. And up to that point, there is 20 two police operations entering into my 21 apartment. And if I was a little bit 22 younger -- I'm a mature man. I'm -- I 23 have a little experience. If I was a</p>	<p style="text-align: right;">Page 288</p> <p>1 this way that they are doing their 2 procedures with police officers. 3 Every- -- everything that they are doing 4 is correct. 5 MR. DYKES: Object to the form. 6 A. I -- I don't have an opinion 7 one way or the other. I really don't. 8 I would need a lot more information -- 9 BY MR. AMIRI: 10 Q. Okay. So do you think -- 11 A. -- before I could draw a 12 conclusion. I don't have an opinion. 13 Q. That is fine. Do you think I 14 was treated unfairly or not? 15 MR. DYKES: Object to the form. 16 A. By the Physics Department or by 17 the police? 18 BY MR. AMIRI: 19 Q. By the University of Alabama as 20 a whole. 21 A. I think -- the short answer, 22 no. I think if you were treated 23 unfairly, it would have come out in a</p>
<p style="text-align: right;">Page 287</p> <p>1 little bit younger, I would confront 2 those police officers, and they would 3 take me into custody, and it is not 4 fair. So the UA should consider these 5 incidents and make some changes. 6 MR. DYKES: Is there a question 7 there? 8 MR. AMIRI: No, it is -- it was 9 my statement. 10 MR. DYKES: Okay. Then I 11 object to his soliloquy. 12 BY MR. AMIRI: 13 Q. Do you agree with my statement, 14 that UA should change some procedures? 15 A. Umm -- 16 MR. DYKES: Object to the form. 17 A. -- no. I don't have auth- -- 18 I'm s- -- I wouldn't be able to agree or 19 disagree with that -- 20 BY MR. AMIRI: 21 Q. So you think that -- 22 A. -- statement. 23 Q. -- the UA should continue in</p>	<p style="text-align: right;">Page 289</p> <p>1 grievance process. But you did not 2 follow a grievance process, so then I 3 have to assume that -- that the -- 4 everyone acted within their scope. 5 Q. So -- 6 A. Had you followed a grievance 7 process, you might have more comfort 8 with where we are now. But you chose 9 not to follow that; you chose to take 10 other avenues because your 2016 11 experience had caused you to lose faith 12 in the grievance process. 13 Q. I already made it clear that I 14 did grievance procedure in both years, 15 in my point of view at least. 16 A. Right, in your point of view. 17 But -- 18 Q. Yes. 19 A. -- unfortunately your point of 20 view on this is not the same as the 21 University's point of view, which is 22 that you did not follow the grievance 23 process at all in 2017. In 2016, you</p>

<p style="text-align: right;">Page 290</p> <p>1 did not continue the grievance process, 2 but that -- I don't have all the facts 3 about that, so I don't have -- I can't 4 speak with authority on that. I can 5 only say that, in 2017, you chose not to 6 follow the grievance process. 7 Q. And . . . 8 A. And the grievance process is 9 designed to ensure that everyone is 10 treated fairly. 11 Q. So we have different opinions 12 because I am thinking in both years I -- 13 A. Yes. 14 Q. -- followed that; you are not. 15 Still do you think it is fair 16 to incarcerate a student who fails to 17 follow grievance procedure? 18 MR. DYKES: Object to the form. 19 You were not incarcerated. 20 MR. AMIRI: But another 21 student -- 22 THE WITNESS: Nor did it have 23 anything to do with failing to follow</p>	<p style="text-align: right;">Page 292</p> <p>1 A. -- it's not because of not 2 following the grievance procedure. 3 You're asking about two separate things, 4 and you're pushing them together, and 5 they're no- -- they're not together. 6 BY MR. AMIRI: 7 Q. Can you tell me what is those 8 two things that are separate? 9 A. The incarceration, which is a 10 complicated issue having to do with the 11 keys to the lab and things that I don't 12 know anything about, and the grievance 13 process, which is about your dismissal 14 from the program for failure to make 15 progress toward the degree, which I do 16 know something about. So you're asking 17 me about something I don't know anything 18 about, and then its connection to 19 something that I know quite a lot about, 20 and I can't connect them. 21 Q. Can you tell me which part you 22 know quite a lot about? 23 A. The -- that I know that the</p>
<p style="text-align: right;">Page 291</p> <p>1 the grievance process. 2 MR. AMIRI: Another student 3 from Physics Department was 4 incarcerated. 5 MR. DYKES: Okay. We're not 6 talking about another student in the 7 Physics Department. 8 MR. AMIRI: But I was in danger 9 of becoming incarcerated. 10 MR. DYKES: Okay. I -- I 11 understand that you feel that way, but 12 your question was about incarcerating -- 13 umm -- okay. 14 MR. AMIRI: I mean, my 15 question, I -- I will change my 16 question. 17 BY MR. AMIRI: 18 Q. Is it fair that you put a Ph.D. 19 student in the danger of becoming 20 incarcerated because of not following 21 the grievance procedure? 22 A. Well -- 23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 293</p> <p>1 department committee made a decision 2 that you should be -- a recommendation 3 that you should be dismissed from the 4 program, and that you were told that, if 5 you did not agree with that, you could 6 use the grievance process, and that you 7 chose not to use the grievance process, 8 and that you were then suspended from 9 the University. That is what I know. 10 That's what I knew this morning and 11 still know. 12 Q. Do you know -- do you consider 13 this amount of knowledge quite a lot of 14 information? 15 A. I do. 16 Q. And you did not read my email 17 in the same email change -- chain, and 18 you did not read any of the attachments 19 I sent to your office, to provost's 20 office, and -- and still you are 21 thinking that you have adequate 22 knowledge, quite a lot of knowledge, in 23 this matter?</p>

<p style="text-align: right;">Page 298</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. In the first page, there is an</p> <p>3 email sent Tuesday, June 27, 2017. You</p> <p>4 sent this email to Jennifer Greer. Can</p> <p>5 you please read this email?</p> <p>6 A. "Hi, Jennifer. The attached</p> <p>7 grad committee's assessment and the</p> <p>8 chair's email below effectively</p> <p>9 terminate Ali Amiri's student status.</p> <p>10 Do you want to run this by Norma during</p> <p>11 your regular meetings, do we do this by</p> <p>12 email, or shall I consult with her? Let</p> <p>13 me know best next step in making sure we</p> <p>14 are able to communicate this clear</p> <p>15 decision to him and make sure he</p> <p>16 understands it, as well as notifying the</p> <p>17 visa office."</p> <p>18 Q. Here you are talking about a</p> <p>19 clear decision.</p> <p>20 A. It was clear to me. What I</p> <p>21 said to Charter is, there's ambiguity in</p> <p>22 the way the department email was</p> <p>23 written. The message is not ambiguous,</p>	<p style="text-align: right;">Page 300</p> <p>1 recommend that the student should not</p> <p>2 receive financial support and should be</p> <p>3 dismissed." That's the recommendation.</p> <p>4 Q. So it is --</p> <p>5 A. And he says, "Follow their</p> <p>6 recommendation." So it's -- it --</p> <p>7 the -- the way it is written can mask</p> <p>8 what it says, which is that he's going</p> <p>9 to follow the recommendation.</p> <p>10 Q. And so I'm -- my question is</p> <p>11 that, is it a clear decision or it is</p> <p>12 ambiguous letter?</p> <p>13 A. It's a -- both. It's a clear</p> <p>14 decision ambiguously written.</p> <p>15 Q. Letter. Yes?</p> <p>16 A. It's an ambiguously written</p> <p>17 letter conveying a clear decision. The</p> <p>18 decision is clear; the writing is not so</p> <p>19 clear.</p> <p>20 Q. Okay. And you read that "and</p> <p>21 the chair's email below effectively</p> <p>22 terminate Ali Amiri's student status."</p> <p>23 What is the meaning of the word</p>
<p style="text-align: right;">Page 299</p> <p>1 but the way it was written is ambiguous.</p> <p>2 I -- I can see that. I can see that you</p> <p>3 might not have realized, but it was</p> <p>4 clear to me what they did, because, if</p> <p>5 you read the two documents together, it</p> <p>6 becomes more clear.</p> <p>7 Q. So the reason that you were</p> <p>8 thinking that it was ambiguous was that</p> <p>9 you didn't read two documents together?</p> <p>10 A. No, it's ambiguous because</p> <p>11 Dr. LeClair didn't repeat the word</p> <p>12 "dismiss" in his email. He only</p> <p>13 referenced the dismissal by saying,</p> <p>14 "Follow their recommendation." And that</p> <p>15 is a -- a soft phrase.</p> <p>16 Q. How it become clear decision</p> <p>17 later?</p> <p>18 A. It's clear to me; I could see</p> <p>19 how it would not be clear to you. It's</p> <p>20 clear to me by -- because as soon as he</p> <p>21 says, "Follow their recommendation," I</p> <p>22 turn to what is their recommendation.</p> <p>23 The recommendation is that, "We</p>	<p style="text-align: right;">Page 301</p> <p>1 "effectively terminating"?</p> <p>2 A. It means that the decision has</p> <p>3 been made. My letter was the -- a</p> <p>4 process piece, but I was -- it was --</p> <p>5 the decision had been made. But it was</p> <p>6 apparent to me that you might not have</p> <p>7 understood it, and that's what -- I was</p> <p>8 trying to figure out the best way to</p> <p>9 tell you this -- what I knew would be</p> <p>10 very disappointing information to you.</p> <p>11 Jennifer has a lot of experience. I had</p> <p>12 been there less than a year, and I was</p> <p>13 asking her what exactly would be the</p> <p>14 next step, given that you had been</p> <p>15 terminated and might not know it yet.</p> <p>16 Q. So what is the meaning of the</p> <p>17 word "effectively" in more specific way?</p> <p>18 That -- what is the ineffective</p> <p>19 termination?</p> <p>20 A. "Effectively" means -- it</p> <p>21 means -- how do I explain that? "The</p> <p>22 chair's" -- "effectively" -- it's over,</p> <p>23 but the processes hadn't all been</p>

Page 302

1 followed to make sure that was clear to
 2 you. We hadn't put a hold on your
 3 registration yet. We hadn't sent the
 4 letter. We hadn't terminated your visa.
 5 So while in effect you had been
 6 terminated, there were process pieces
 7 that had not yet been done, and I didn't
 8 know who had talked to you and how clear
 9 it was to you. So while in effect --
 10 that's what "effectively" means -- in
 11 effect the action had been taken, I
 12 wasn't sure what the next step should be
 13 to make sure you knew.
 14 Q. So, if the termination was not
 15 effective --
 16 A. No, it was ef- -- it -- it was
 17 in ef- -- it's an English --
 18 Q. -- I mean, the other option --
 19 A. -- issue. It means "in fact."
 20 While in fact you had been terminated.
 21 Q. Oh, so "effectively" here means
 22 "in fact"?
 23 A. That's a better way to -- yeah.

Page 303

1 Q. But you know that I was using
 2 the lab after that date?
 3 A. I understood that from the fact
 4 that they were asking you to give the
 5 keys back. Then I assumed that you
 6 still had the keys.
 7 Q. But even --
 8 A. But that was an assumption on
 9 my part. I don't really know what you
 10 were doing in the lab. All of that is
 11 not known to me.
 12 Q. But there is per- -- time
 13 period between that letter that you are
 14 telling that effectively terminated and
 15 the time that they asked me to return
 16 the keys. They asked me to return keys
 17 after President Bell ordered that
 18 Provost Whitaker and Vice President Carl
 19 Pinkert should investigate this theft
 20 incident in the --
 21 A. Umm.
 22 Q. -- MINT Center.
 23 A. Umm.

Page 304

1 MR. DYKES: Object to the form.
 2 A. I -- I -- I really don't know
 3 anything about that.
 4 BY MR. AMIRI:
 5 Q. Okay.
 6 A. Not my area of knowledge.
 7 Q. Then let's look at the next
 8 page. This is a long email, but can you
 9 tell who sent this email?
 10 A. This is from Charter Morris in
 11 the International Office on June 30th.
 12 Q. And I underlined a few lines.
 13 Can you please read that?
 14 A. "Based on my understanding that
 15 you aren't being immediately dismissed
 16 but rather won't be allowed to continue
 17 in the program this fall, you have a
 18 little time to make some decisions."
 19 Q. So Mr. Charter is telling that
 20 I'm not immediately dismissed?
 21 A. He is saying "which will likely
 22 lead to dismissal from the Ph.D.
 23 program."

Page 305

1 Q. Yes. And -- okay. If you want
 2 to get that information, that paragraph,
 3 can you please read that whole
 4 paragraph?
 5 A. "To follow up on what I had
 6 hoped to discuss, as I noted, I have
 7 been informed that you have been
 8 dismissed from your program in Physics,
 9 which will likely lead to dismissal from
 10 the Ph.D. program."
 11 Q. Yeah. Can you please continue,
 12 "As you know"?
 13 A. "As you know, your F-1 student
 14 visa status is tied to your studies and
 15 program. What I wanted to do is explore
 16 your options."
 17 Q. Yes. Could you please
 18 continue? You read the previous
 19 paragraph. Yes.
 20 A. "I hope everything is okay"?
 21 That paragraph?
 22 Q. Yes. And he -- later on he
 23 tells that, "We won't have to terminate

77 (Pages 302 - 305)

<p style="text-align: right;">Page 318</p> <p>1 going the wrong way. 2 BY MR. AMIRI: 3 Q. Can you please read the next 4 paragraph? 5 A. "From minute 3 to minute 5, I 6 am talking about a great discovery I 7 have made in correlated electron 8 systems. This is not from any of those 9 five research topics. I have found 10 these results based on my own 11 theoretical studies and few simple 12 experiments. I have some good data on 13 this research. To get a complete set of 14 data, I have designed another 15 experiment, which should prove my 16 theory, and it will take two to three 17 weeks to be done." 18 Q. Yes. Can you please read the 19 next? 20 A. "In minute 5, Dr. Gupta reminds 21 me 'the strain paper,' which is rejected 22 two times. It was a combination of two 23 unrelated sets of data, and Dr. Gupta</p>	<p style="text-align: right;">Page 320</p> <p>1 didn't let me to separate them and 2 publish two papers. 3 Do you think this is misconduct 4 or not? 5 A. No. 6 Q. Why it is not misconduct? 7 A. Because when there's a 8 difference of agreement between a 9 student and an advisor, the student 10 needs to follow the guidance of the 11 advisor. 12 So, in such a case, the student 13 should say to the advisor, "Then what 14 should I do?" 15 And the advisor should say, 16 "This is a dead end. You should stop 17 working on this and do something else," 18 or "Here's some advice that can help you 19 get this" -- "move it" -- 20 Q. That is not true. 21 A. -- "forward," one or the other. 22 But there are many differences of 23 opinion between students and advisors.</p>
<p style="text-align: right;">Page 319</p> <p>1 did not let me write two papers or 2 dismiss one set of those data." 3 Q. Yes. Here are these papers 4 that was rejected in 2017. In 2016, one 5 of the matters that I brought into 6 grievance procedure was these papers. I 7 was able to write two papers, one on the 8 strain effect, the other on bending 9 effect. The bending creates some strain 10 but it is totally different thing, 11 different approach. 12 Dr. Gupta told me, "You have to 13 combine them because I am advisor." 14 I did that. We send the 15 publication; it was rejected. 16 I asked him, "Can I separate 17 them and submit two papers?" 18 He didn't let me. 19 The second -- second time, I 20 submitted the same paper. I improved it 21 a little bit, based on what Dr. Gupta 22 told me, and submitted it again, and it 23 was again rejected. And he -- he still</p>	<p style="text-align: right;">Page 321</p> <p>1 This is the crux of the issue we're 2 talking about here. You did not agree 3 with your advisor. This happens in many 4 situations. 5 Q. That is not true. 6 A. Okay. 7 Q. The truth is that Dr. LeClair 8 talked to Dr. Gupta and asked him, 9 "Please let him separate these two set 10 of data because it is not publishable. 11 You know that." 12 A. But Dr. Gupta didn't agree. 13 Q. He didn't agree. So he 14 rejected Dr. LeClair's suggestion. Then 15 we had another meeting. We invited 16 Dr. Sanjoy Sarker to come to our 17 meeting. So two professors can convince 18 Dr. Gupta to let me separate these two 19 papers and publish both of them. And 20 Dr. Gupta still did not accept. Do you 21 think this is a misconduct or not? 22 A. I would not -- 23 MR. DYKES: Object to the form.</p>

<p style="text-align: right;">Page 322</p> <p>1 A. -- judge until I heard 2 Dr. Gupta explain why he felt that way. 3 I certainly could not make a 4 determination based on what you're 5 telling me without hearing what 6 Dr. Gupta's rationale was. 7 BY MR. AMIRI: 8 Q. Can you suppose that the 9 information I gave to you is correct? 10 A. It's one side. It might be 11 very correct, but it's one side. 12 Q. No. It is -- I mean, we cannot 13 come to ano- -- another date. This is 14 deposition, and it is proper that you 15 assume that my information that I gave 16 to you are correct. 17 A. I do assume -- 18 MR. DYKES: She does not have 19 to assume -- 20 A. -- that the information -- 21 BY MR. AMIRI: 22 Q. (Indiscernible) 23 A. -- you gave me is correct, but</p>	<p style="text-align: right;">Page 324</p> <p>1 this outside the grievance process. The 2 grievance process was your chance to 3 have this heard and to make this case. 4 That was your chance to make this case. 5 Q. Well -- 6 A. You didn't use the grievance 7 process. 8 Q. I did use the -- the grievance 9 process. I told it several times, and 10 you are just repeating your own point of 11 view. 12 MR. DYKES: All right. We're 13 just -- we're arguing at this point, so, 14 if there's questions -- 15 MR. AMIRI: No, I'm just 16 correcting that, that no 17 misinformation -- 18 THE WITNESS: From your 19 perspective you've used -- 20 MR. AMIRI: -- will be 21 recorded. 22 THE WITNESS: -- the grievance 23 process, yes.</p>
<p style="text-align: right;">Page 323</p> <p>1 I can't make a judgment on half of a 2 case. I would need to understand why he 3 said that, and you can't tell me why he 4 said that because you disagree with him. 5 So your representation of his view -- 6 Q. I do not disagree. 7 A. Okay. Well, I can't judge. 8 So -- 9 Q. Well -- 10 A. -- the answer is, "I don't 11 know." I don't know if that's 12 misconduct because I wouldn't have all 13 the facts. 14 Q. Well, in June 23, 2017, I sent 15 you this email -- 16 A. The key piece is still missing. 17 Q. The audiotope is over there, 18 the full audiotope without any change. 19 A. Again -- 20 Q. You didn't listen -- 21 A. Again -- 22 Q. -- to that. 23 A. -- you're asking that we solve</p>	<p style="text-align: right;">Page 325</p> <p>1 MR. AMIRI: Yes. I -- I'm just 2 correcting it, not to have 3 misinformation in the record. 4 BY MR. AMIRI: 5 Q. May I ask you a question 6 that -- did you receive any information 7 in regard to Dr. Carl Pinkert that I'm 8 trying to reach him or his link in the 9 investigation or any kind of 10 information? 11 A. I -- I knew that an inquiry had 12 been made, but I did not have details 13 and didn't want to know details, unless 14 they impacted what I was doing. 15 Q. So you was not trying to have 16 any effect on Dr. Pinkert -- 17 A. No. 18 Q. -- investigation? 19 A. No. 20 (PLAINTIFF'S EXHIBIT NO. 16 21 MARKED) 22 MR. AMIRI: I'm introducing 23 Exhibit Number 16.</p>

82 (Pages 322 - 325)

Page 326

1 MR. DYKES: (Reviews document)

2 BY MR. AMIRI:

3 Q. Here there is two emails.

4 A. Um-hum.

5 Q. The email that is in the middle

6 is the email you sent at June 29, 2017,

7 at 1:14 p.m. Can you please that --

8 read that email?

9 A. "Hi, Jennifer. Regarding the

10 attached email from Ali Amiri from 6/1,

11 he mentions that," quote, "The NSF

12 inspector general will handle this

13 case," end quote. "Do you think I

14 should forward this email to Carl

15 Pinkert, both because of our own

16 internal investigation and because of

17 the reference to NSF involvement?"

18 Q. Thank you. And can you please

19 read his -- her answer, which was in the

20 same day at 2:08 p.m.?

21 A. "I would think it best that

22 Carl nor anyone in his office sees this.

23 That way they can't be accused of

Page 327

1 mishandling the second claim he has made

2 because he calls the first report

3 'faulty.' If the NSF inspector general

4 wants to look into it, we could tell

5 Carl at that time. My general stance is

6 not to share criticisms and threats of

7 lawsuits or grievances with those who

8 will ultimately make the decision,

9 unless there's a compelling reason to do

10 so."

11 Q. Thank you for reading the

12 statement.

13 Here there's an email that you

14 have in your hand, and you want to

15 forward to Dr. -- Vice President Carl

16 Pinkert, and you was advised not to send

17 it. Did you send that email?

18 A. No.

19 Q. Do you think that not sending

20 that email will affect the Pinkert

21 investigation?

22 MR. DYKES: Object to the form.

23 A. The reason that I was asking is

Page 328

1 because I -- I felt that you were making

2 a threat.

3 BY MR. AMIRI:

4 Q. No, my question, do you think

5 it will affect the Pinkert --

6 A. Do I think it would have

7 affected --

8 Q. Yes.

9 A. -- the investigation?

10 Q. Yes.

11 A. I didn't have details of the

12 investigation to know one way or

13 another.

14 Q. No, my question is clear.

15 MR. DYKES: Your question is --

16 BY MR. AMIRI:

17 Q. "Yes" or --

18 MR. DYKES: -- not clear.

19 A. I don't know.

20 BY MR. AMIRI:

21 Q. -- "no"? "Yes" or "no"? I

22 mean, do you think not providing this

23 email to Mr. Pinkert, Carl Pinkert, will

Page 329

1 affect his investigation or not? "Yes"

2 or "no"?

3 MR. DYKES: I object to the

4 form.

5 A. I -- I can't an- -- I -- I

6 can't answer "yes" or "no" to that. I

7 don't know. I don't have enough

8 information about the investigation to

9 know how it would influence it one way

10 or another.

11 What alarmed me was a threat

12 that the NSF would become involved, and

13 then it's Carl Pinkert's shop that would

14 be involved. And I needed to know, does

15 he need a heads-up about this. It

16 wasn't really about any current

17 investigation; it was about the NSF

18 being involved.

19 BY MR. AMIRI:

20 Q. And you did not submit this to

21 Dr. Pinkert to protect his interest?

22 A. I didn't submit it because

23 Jennifer said not to submit it, because

<p style="text-align: right;">Page 330</p> <p>1 it was -- it was better for him not to 2 be involved with that. 3 Q. Do you think that the NSF 4 inspector general would be involved in 5 this matter? 6 A. I have no idea. 7 Q. So, if -- 8 A. I have less than no idea about 9 that. 10 Q. If the accusations are not 11 true, they wouldn't come to be involved. 12 A. I don't know. 13 MR. DYKES: Object to the form. 14 A. I -- I don't know how they 15 operate. When they would receive an 16 email from you, I don't know what they 17 would do next. I don't know how they -- 18 they probably have a process, and I 19 don't -- I'm unfamiliar with it. 20 BY MR. AMIRI: 21 Q. Do -- do you expect that the 22 NSF inspector general would come to UA 23 to investigate the situation --</p>	<p style="text-align: right;">Page 332</p> <p>1 MR. DYKES: I'm going to object 2 to the form. 3 BY MR. AMIRI: 4 Q. But, based on these quotations 5 of threat, you convinced the police 6 officers to attack my residence -- 7 MR. DYKES: Okay. Is this -- 8 BY MR. AMIRI: 9 Q. -- because I'm making threat. 10 A. Remember -- 11 MR. DYKES: Mr. A -- 12 A. -- that I didn't have anything 13 to do with that. 14 MR. DYKES: Is this -- is there 15 a question? Are you asking her a 16 question? 17 MR. AMIRI: Well, but you are 18 not letting me finish. 19 MR. DYKES: I know. It didn't 20 sound like a question. If you're asking 21 her a question, finish the question. If 22 you're making another -- 23 MR. AMIRI: Mr. Counsel --</p>
<p style="text-align: right;">Page 331</p> <p>1 A. No, I don't expect that. 2 Q. -- if there is no misconduct? 3 A. I don't know what -- I would 4 expect that they have a process to look 5 into the merit. I would expect that, 6 but I don't actually know. 7 Q. Here she writes to you that 8 "not to share criticism and threats of 9 lawsuit." Is a lawsuit a threat? 10 A. People threaten to sue, so a 11 lawsuit itself is not a threat, but one 12 can threaten a lawsuit, and many people 13 do. 14 Q. When -- 15 A. They say, "If you don't do what 16 I want, I'll sue you." 17 Q. When -- 18 A. So that's a threat of lawsuit. 19 Q. I understand that. But when a 20 student is telling you that, "I will 21 file a lawsuit," it means that he's 22 demanding you follow the rule of law. 23 It is not any kind of threat.</p>	<p style="text-align: right;">Page 333</p> <p>1 MR. DYKES: -- soliloquy -- 2 MR. AMIRI: -- should you let 3 me finish my statement, then you see 4 if it's a question or not. You are 5 cutting my -- me in the middle of my 6 statement. 7 A. Because you made an incorrect 8 statement. You said, "Because of this, 9 you" something "the police." And 10 remember that I didn't have anything to 11 do with police action. It was happening 12 separate from anything I was doing. 13 BY MR. AMIRI: 14 Q. But Ms. Jennifer Greer write 15 this to you, and she's talking about 16 threat of lawsuit. 17 A. Yes. 18 Q. And there are other documents 19 that we will reach to them that you 20 finally become able to convince the 21 police officer that I'm a threat, and 22 that is why they come to my apartment. 23 MR. DYKES: Object to the form.</p>

Page 334

1 BY MR. AMIRI:
 2 Q. So you was not involved in any
 3 of that?
 4 A. My conversations with Charles
 5 Dorsey were not about the police coming
 6 to your apartment. It was about whether
 7 you represented any threat because of
 8 the tone of that email, that paragraph.
 9 So what I was talking to him about was
 10 assessing the threat. It wasn't about
 11 taking police action related to access
 12 to the lab. These are separate things,
 13 again, that you are pushing together.
 14 Q. Do you think if the police
 15 officers will be convinced that I am a
 16 threat to the campus they would not come
 17 to -- I mean they would not address the
 18 issue, they would not come after me?
 19 MR. DYKES: Object to the form.
 20 A. You're way out of my area of
 21 expertise there. That's why we have
 22 Charles Dorsey. I ask the question:
 23 "Is this person a threat?" My knowledge

Page 335

1 stops right there. I do not go past
 2 that que- -- I ask the question, and I
 3 trust that he will give me an answer
 4 that I need, and that is s- -- my -- I
 5 feel like you think that my area of
 6 action or responsibility is bigger than
 7 it is, and it's not.
 8 BY MR. AMIRI:
 9 Q. Have you tried to convince
 10 Charles Dorsey that I'm a threat or not?
 11 A. I was not trying to convince
 12 him; I was asking him to assess, so that
 13 I could go by what he says.
 14 Q. Were you --
 15 A. I trust him to assess whether
 16 you're a threat or not. I was not
 17 trying to convince him that you're a
 18 threat.
 19 Q. Were you providing him with
 20 correct information?
 21 A. With what information?
 22 Q. With the right information.
 23 A. I was just forwarding the

Page 336

1 email.
 2 Q. But you was providing the
 3 emails that was receiving from one group
 4 of people in conflict, not the other
 5 group. You did not forward any of my
 6 emails to them.
 7 A. I did forward --
 8 MR. DYKES: Object to the form.
 9 A. -- your email.
 10 MR. DYKES: She -- the first
 11 one -- yes.
 12 A. Yes. Your email where you
 13 said, "They shall see the consequences
 14 of their action," that's the email I
 15 forwarded to him. That's the one that
 16 seemed to me to represent a threat. It
 17 could be a threat, or it could be just a
 18 statement about the way the world works.
 19 I didn't know, so I asked him.
 20 BY MR. AMIRI:
 21 Q. So you forwarded some of my
 22 emails and not --
 23 A. Just that one.

Page 337

1 Q. -- the others?
 2 A. I di- --
 3 Q. So, for example --
 4 A. He wasn't adjudicating; he was
 5 only deciding if you were a threat, if
 6 that paragraph was representing any
 7 danger to anyone.
 8 Q. But do you think that you
 9 should provide with the whole truth, not
 10 part of the truth?
 11 MR. DYKES: Object to the form.
 12 BY MR. AMIRI:
 13 Q. You are providing one of my
 14 emails to Mr. Charles Dorsey, not the
 15 other emails that shows the whole truth.
 16 A. The rest of the situation is
 17 irrelevant to the question of whether
 18 you were making a threat of harm with
 19 that paragraph.
 20 Q. And what was their answer?
 21 A. Your -- your threat level was
 22 deemed low.
 23 Q. How did they come to that

<p style="text-align: right;">Page 338</p> <p>1 conclusion?</p> <p>2 A. I have no idea, and I never</p> <p>3 asked.</p> <p>4 Q. Did they send you email to</p> <p>5 explain to the procedure?</p> <p>6 A. No.</p> <p>7 Q. They never send you email to</p> <p>8 describe what --</p> <p>9 A. No --</p> <p>10 Q. -- they did?</p> <p>11 A. -- no, and I don't ask. They</p> <p>12 just said the threat assessment is low.</p> <p>13 I was happy about that.</p> <p>14 MR. AMIRI: I'm introducing</p> <p>15 Exhibit Number 17.</p> <p>16 (PLAINTIFF'S EXHIBIT NO. 17</p> <p>17 MARKED)</p> <p>18 MR. DYKES: (Reviews document)</p> <p>19 BY MR. AMIRI:</p> <p>20 Q. This is an email that you sent</p> <p>21 to a couple of people, including</p> <p>22 Dr. Han, on June 23rd, 2017.</p> <p>23 (CELL PHONE RINGS)</p>	<p style="text-align: right;">Page 340</p> <p>1 Q. Just one sample?</p> <p>2 A. Just one sample.</p> <p>3 Q. And what was the consequence if</p> <p>4 they -- there was one email of that</p> <p>5 kind?</p> <p>6 A. I don't know the -- each</p> <p>7 situation is handled very differently.</p> <p>8 Q. Okay.</p> <p>9 A. I'm not part of the behavioral</p> <p>10 assessment team. I've never been to the</p> <p>11 meetings, so I don't know exactly what</p> <p>12 happens there.</p> <p>13 Q. And so do you know whether she</p> <p>14 find one example or not?</p> <p>15 A. I don't remember. The only</p> <p>16 paragraph I remember is the one in the</p> <p>17 email we've been discussing where you</p> <p>18 talked about consequences.</p> <p>19 Q. So based on my -- on the</p> <p>20 documents you produced, she did not find</p> <p>21 even one example?</p> <p>22 A. I don't know if Luoheng sent</p> <p>23 her anything or not.</p>
<p style="text-align: right;">Page 339</p> <p>1 MR. AMIRI: I'm sorry.</p> <p>2 BY MR. AMIRI:</p> <p>3 Q. Can you please read this email?</p> <p>4 A. "Hi, Luoheng, cc Cathy. Cathy</p> <p>5 Pagni will be attending a behavioral</p> <p>6 assessment team, BIT, meeting today at</p> <p>7 3:30, and it would be best to discuss</p> <p>8 Ali Amiri's situation with them if you</p> <p>9 feel he is in any way a danger to</p> <p>10 himself or others. As context for that</p> <p>11 conversation, can you forward Cathy any</p> <p>12 of the emails that you consider to</p> <p>13 indicate that he is reaching a danger</p> <p>14 level in his behavior, threats, et</p> <p>15 cetera? She just needs one example.</p> <p>16 Thanks so much. Susan."</p> <p>17 Q. Can you please explain to me</p> <p>18 what you mean when you -- you are</p> <p>19 telling that, "She just needs one</p> <p>20 example"?</p> <p>21 A. What I mean is, there was a lot</p> <p>22 of emails going around, and all she</p> <p>23 needed was a sample of your tone to --</p>	<p style="text-align: right;">Page 341</p> <p>1 Q. So you was not trying to find</p> <p>2 evidence to prove --</p> <p>3 A. Against you, no.</p> <p>4 Q. -- specific --</p> <p>5 A. No.</p> <p>6 (PLAINTIFF'S EXHIBIT NO. 18</p> <p>7 MARKED)</p> <p>8 MR. AMIRI: I'm introducing</p> <p>9 Exhibit Number 18.</p> <p>10 MR. DYKES: (Reviews document)</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. So this is a letter on the</p> <p>13 first page from Charles Dorsey sent to</p> <p>14 you --</p> <p>15 A. Ah, yes, we looked at part of</p> <p>16 this before, yes.</p> <p>17 Q. -- yes -- in June 30. Can you</p> <p>18 please read that email.</p> <p>19 A. Which one? "AMA is meeting</p> <p>20 this morning"?</p> <p>21 Q. No, this one here.</p> <p>22 (Indicating)</p> <p>23 A. Yes. "AMA is meeting this</p>

<p style="text-align: right;">Page 342</p> <p>1 morning" -- this is from Charles Dorsey. 2 "AMA is meeting this morning with UA's 3 International Services Director 4 Char-" -- "Charter Morris to discuss his 5 options based on the F-I visa. I spoke 6 with Charter and briefed him on the 7 current status of AMA. I also notified 8 UAPD to ensure their situational 9 awareness. More to follow." 10 Q. Okay. Can you please explain 11 what this email is talking about? 12 A. I can tell you what I think he 13 is talking about. We wanted to make 14 sure that someone had the conversation 15 with you about your options, about the 16 seriousness of the situation you were 17 in. And the person to have that 18 conversation was Charter Morris. And 19 the reason is, that he's the most 20 informed one about what next steps would 21 best allow you to maintain your visa 22 status. 23 So I could talk to you about</p>	<p style="text-align: right;">Page 344</p> <p>1 A. -- to Charles that he was 2 answering -- 3 Q. Yes. 4 A. -- that he was responding to. 5 Right? So what I was saying to him is, 6 you might be surprised by this news when 7 you go to Charter's office, that it 8 might be new news to you. 9 Q. Okay. 10 A. And -- 11 Q. Can we get back to this 12 email -- 13 A. So he said -- 14 Q. -- and I asked you a 15 question -- 16 A. -- "I spoke with Charter and 17 briefed him on the current status. I 18 also notified UAPD to ensure their 19 situational awareness." 20 Q. Okay. Here "AMA" is my name -- 21 A. Yes. 22 Q. -- that police officer gave. 23 Why you should notify UAPD for a</p>
<p style="text-align: right;">Page 343</p> <p>1 what you can't do, but I couldn't really 2 talk to you about what you can do. 3 Charter can have that conversation and 4 has had it with many students over the 5 years. 6 So what Charles Dorsey is 7 saying here is that he let him know 8 whatever the current status is, which is 9 based on what I had said to him, this 10 understanding that Dr. LeClair did not 11 reiterate the program dismissal -- 12 remember, he didn't use the word 13 "dismissal," and so what I was saying 14 is, that you might not realize, and so 15 this might be new news to you. 16 Q. This is an email that was sent 17 to you, so you didn't answer -- I mean, 18 this is an email that -- the email that 19 we are talking is these three lines that 20 you just read. 21 A. Yes, but below that was my 22 email -- 23 Q. We will get to that.</p>	<p style="text-align: right;">Page 345</p> <p>1 scheduled -- for a scheduled meeting? I 2 mean, Mr. Charter scheduled a meeting 3 with me, as you mentioned, to explain to 4 me some facts. Why the UAPD is 5 informed? 6 A. I contacted Charles Dorsey 7 because I was aware that you had written 8 an email that talked about consequences, 9 possibly before you even knew that you 10 were actually going to be dismissed from 11 the University, and I thought you would 12 already know because you would have 13 received my letter, then I realized you 14 wouldn't have the letter. If you were 15 surprised by this news and you were 16 someone who had written an email about 17 consequences, is that a threat? Is that 18 a dangerous situation for the person 19 who's about to give you very bad news? 20 Q. Do you consider your answer as 21 the answer to my question, or it is 22 different subject? 23 A. Maybe you better repeat the</p>

<p style="text-align: right;">Page 346</p> <p>1 question.</p> <p>2 Q. The question is, why you should</p> <p>3 notify UAPD, the police department, for</p> <p>4 a scheduled meeting?</p> <p>5 A. I notified Charles --</p> <p>6 MR. DYKES: She answered that.</p> <p>7 A. -- Dorsey. I did not notify</p> <p>8 UAPD. I notified Charles Dorsey.</p> <p>9 BY MR. AMIRI:</p> <p>10 Q. Okay.</p> <p>11 A. Because, in a situation where a</p> <p>12 student is going to get very bad news, I</p> <p>13 want Charles Dorsey to know about it.</p> <p>14 And Charles Dorsey knows about it and</p> <p>15 says, "I have notified UAPD to ensure</p> <p>16 their situational awareness."</p> <p>17 Q. The very bad news was on</p> <p>18 June 26, that the police officers</p> <p>19 attacked my apartment.</p> <p>20 A. That wasn't the bad news I was</p> <p>21 referring to. The bad news I was</p> <p>22 referring to is that you were dismissed</p> <p>23 from the University.</p>	<p style="text-align: right;">Page 348</p> <p>1 was thinking that I -- they notified me</p> <p>2 not to enter to the building, so I</p> <p>3 didn't go to that meeting. But UAPD was</p> <p>4 informed about this meeting, and, if I</p> <p>5 was going to go to that meeting that</p> <p>6 Mr. Charles [sic] Morris has scheduled</p> <p>7 with me and I was trusted him, the UAPD</p> <p>8 was going to take me into custody</p> <p>9 because I entered one of the buildings?</p> <p>10 A. Hmm.</p> <p>11 Q. And this email shows that. You</p> <p>12 was informed about this incident. Do</p> <p>13 you accept that?</p> <p>14 A. No.</p> <p>15 MR. DYKES: Object to the form.</p> <p>16 A. Again, I was not involved in</p> <p>17 anything related to UAPD and your</p> <p>18 apartment in the same sentence. As soon</p> <p>19 as you say "UAPD" and "apartment," I'm</p> <p>20 out of it.</p> <p>21 BY MR. AMIRI:</p> <p>22 Q. But --</p> <p>23 A. What --</p>
<p style="text-align: right;">Page 347</p> <p>1 Q. I think my statement was clear</p> <p>2 as well, so please let me tell you.</p> <p>3 A. No, ask me a question.</p> <p>4 Q. Yes.</p> <p>5 A. As I'm getting again conflating</p> <p>6 these things I -- I have something to do</p> <p>7 with and things I have nothing to do</p> <p>8 with.</p> <p>9 Q. Well, so let me ask you a</p> <p>10 question --</p> <p>11 A. Okay.</p> <p>12 Q. -- and you answer it.</p> <p>13 A. Um-hum.</p> <p>14 Q. On June 26, my apartment was</p> <p>15 busted --</p> <p>16 A. Right.</p> <p>17 Q. -- and I get a notification</p> <p>18 from police, a warning, that I should</p> <p>19 not enter any building in the campus.</p> <p>20 And this email chain shows that</p> <p>21 Mr. Morris scheduled a meeting with me.</p> <p>22 And I was going to attend that meeting,</p> <p>23 but, about one hour before meeting, I</p>	<p style="text-align: right;">Page 349</p> <p>1 Q. -- but this --</p> <p>2 A. I understand what you're saying</p> <p>3 about why you couldn't attend the</p> <p>4 meeting. I understand that.</p> <p>5 Q. But that is not the point. You</p> <p>6 are --</p> <p>7 A. Okay.</p> <p>8 Q. -- I mean, my point is very</p> <p>9 clear.</p> <p>10 A. Yes.</p> <p>11 Q. In this three line that you</p> <p>12 read, there is a meeting set up with me</p> <p>13 that --</p> <p>14 A. Yes, there was.</p> <p>15 Q. -- I need to enter into a</p> <p>16 building. And the UAPD was informed</p> <p>17 that I'm about to enter that building.</p> <p>18 And I had a warning from UAPD not to</p> <p>19 enter to any building. So my rational</p> <p>20 conclusion is that, if I was going into</p> <p>21 there, the plan was to incarcerate me,</p> <p>22 to just take me into custody because I</p> <p>23 did not pay attention to the warning.</p>

<p style="text-align: right;">Page 350</p> <p>1 A. Hmm. I can see why you would 2 think that, but do- -- I -- I di- -- I 3 was not aware of that -- 4 Q. Yes. 5 A. -- and you didn't tell Charter 6 that. 7 Q. But now that you have this 8 information, do you think I was right or 9 not? 10 A. Now that I -- 11 MR. DYKES: Object to the form. 12 A. -- have this information that 13 you're giving me today, I think you were 14 right not to go. But you should have 15 called him and kept the appointment by 16 phone, because you had important 17 decisions to make, information to 18 receive and decisions to make. And you 19 didn't email him and you didn't call him 20 and you didn't go, and so we could not 21 help you with next steps. We were 22 moving forward with how to help you 23 understand your situation.</p>	<p style="text-align: right;">Page 352</p> <p>1 A. Okay. 2 Q. -- 15 minutes later. 3 MR. DYKES: We've been going 4 about an hour and ten minutes, so let's 5 take a break. 6 MR. AMIRI: Okay. Let's take a 7 break. 8 VIDEOGRAPHER: We are going off 9 the record at 3:36. 10 (A BREAK WAS TAKEN) 11 VIDEOGRAPHER: This begins 12 media unit number 5. We're back on the 13 record at 3:43. 14 BY MR. AMIRI: 15 Q. Yes. Let's start with Exhibit 16 Number 18 that we have. In the first 17 page in the bottom, you send the email 18 to Charles Dorsey. That is on June 29, 19 2017, at 5:44 p.m. Can you please read 20 the first paragraph of that email? 21 A. "Hi, Charles. AMA has been 22 dismissed from the university in 23 addition to the denial of funding.</p>
<p style="text-align: right;">Page 351</p> <p>1 BY MR. AMIRI: 2 Q. But you know that I called him 3 and I emailed him both. I both emailed 4 him and called him, and those emails and 5 the call was forwarded to you in the 6 email that Charter wrote to you -- 7 A. The one where he said you 8 didn't come to the meeting? 9 Q. But I called. Yes, he tells 10 you that A- -- Ali Amiri didn't come to 11 the meeting, but he called me and he -- 12 A. Later. 13 Q. -- he made clear that he will 14 make a lawsuit against the University, 15 and he did not take any of the options I 16 gave to him, and he made -- he made it 17 very clear. 18 A. I do remember that. 19 Q. So I called him -- 20 A. Later. 21 Q. -- in the same time. I didn't 22 go there, but I did call him in the time 23 of meeting, maybe --</p>	<p style="text-align: right;">Page 353</p> <p>1 While Dr. LeClair did not reiterate the 2 program dismissal in his email, he did 3 reference that he would follow the 4 recommendation of the committee, and he 5 attached the committee recommendation, 6 which I attach here to this email. That 7 document contained the names of the 8 faculty members who made the 9 recommendation for dismissal, and that 10 is the reason that both Dr. Henderson 11 and Dr. Townsley expressed their 12 concerns about the implicit threat in 13 the email of," quote, "seeing the 14 consequences," unquote, "of the action. 15 I hope this helps clarify the chain of 16 communication. Glad to answer any 17 further questions." 18 Q. Yes. You are talking about 19 Dr. Henderson and Dr. Townsley 20 expressing their concerns about the 21 implicit threat in the email. 22 A. (Nods affirmatively) 23 Q. And this is the only thing</p>

<p style="text-align: right;">Page 354</p> <p>1 that you are sending, "seeing the 2 consequences"?</p> <p>3 A. (Nods affirmatively)</p> <p>4 Q. Do you have the full sentence 5 of this, because you are quoting just 6 three words?</p> <p>7 A. Yes. But below this on the 8 bottom of that same page was my email to 9 Charles Dorsey where I said, "who shared 10 with me the attached email he received 11 from Ali Amiri on June 1st, in relation 12 to the notification of his dismissal. 13 Yesterday or today Dr. LeClair also 14 shared this email and photograph with 15 the faculty members on the advisory 16 committee who wrote the recommendation. 17 Two of the faculty members, Dr. Dean 18 Townsley and Dr. Conor Henderson, told 19 him they felt threatened by the content 20 of the email, the tone, and the 21 reference to the artwork. Specifically 22 they pointed to his statement that 'they 23 will be held responsible,'" quote, "and</p>	<p style="text-align: right;">Page 356</p> <p>1 a threat, and those two people was kind 2 of threatened by this email?</p> <p>3 A. (Nods affirmatively)</p> <p>4 Q. Well, the second paragraph 5 reads, "From these five people who have 6 signed the false document, Dr. Okada is 7 on my dissertation committee, but the 8 other four people do not have any 9 information about my research, or 10 basically they don't know anything about 11 me. And I don't know them as well. 12 But, based on my general information, 13 all of these people are decent people. 14 And I have heard more or less positive 15 things about them from their students. 16 If they can sign a document without 17 having enough information about the 18 content, what the rest of the people can 19 do?"</p> <p>20 A. Right. That paragraph is not 21 threatening. It's the next paragraph --</p> <p>22 Q. Okay.</p> <p>23 A. -- that is more threatening</p>
<p style="text-align: right;">Page 355</p> <p>1 that," quote, "they will see the 2 consequences of their unethical 3 action," unquote.</p> <p>4 "As a result, Dr. LeClair 5 reported the email and the faculty 6 members' concern to Officer Davis at 7 UAPD, as this relates to MINT Center 8 research."</p> <p>9 So, I sent him that. Then he 10 asked the question, "Can you clarify? 11 Is he dismissed or is the funding 12 pulled?" And then I answered that 13 question, and I referenced the implicit 14 threat in the email of "seeing the 15 consequences," but he already had that. 16 He had your full email.</p> <p>17 Q. And can you please look at 18 Exhibit Number 3, page 10, the last 19 page?</p> <p>20 A. (Reviews document) Yes, that's 21 the email that he had, the June 1st 22 email.</p> <p>23 Q. So you considered this email as</p>	<p style="text-align: right;">Page 357</p> <p>1 where you say --</p> <p>2 Q. But it is in the same email.</p> <p>3 A. -- "the f-" -- "people who 4 signed this document should be held 5 responsible, and they have to give the 6 reasons for their actions. And, 7 naturally, they will see the 8 consequences." That's the sentence that 9 references directly the people who 10 signed that document, and you --</p> <p>11 Q. Let me --</p> <p>12 A. -- can see now, I'm sure, how 13 that could be frightening.</p> <p>14 Q. Let me read that exact sentence 15 you just quoted three letter- -- three 16 words of it in that -- in your letter. 17 So that part is, "And I think the people 18 who signed this document should be held 19 responsible and they have to give their 20 reasons for their actions. And 21 naturally, they will see the 22 consequences of their unethical action." 23 Do you think this is threatening?</p>

90 (Pages 354 - 357)

Page 358

1 A. I think it could mean one of
2 two things.
3 Q. No. Do you think it is
4 threatening? "Yes" or "no"?
5 MR. DYKES: It -- it's not a
6 yes-or- --
7 A. These are not yes-or-no
8 questions. I'm a complexed thinker.
9 Listen to me. It might be a threat; it
10 might not be a threat. If I knew you,
11 if I grew up with you, I would know how
12 to read that. But that sentence alone,
13 I would say that could be a threat. Or
14 you might mean that, naturally, life
15 will show them the consequences of their
16 action, or it could mean consequences
17 are coming, watch out. I don't know
18 which thing it meant.
19 BY MR. AMIRI:
20 Q. When you're reading an email,
21 you should consider the email. You
22 don't need to know me. Everything is
23 written there. The email I wrote, I

Page 359

1 think the people who signed this
2 document should be held responsible.
3 This is the way I'm thinking. It is
4 clear.
5 A. It's not clear.
6 Q. Why it is --
7 A. Does that mean that you're
8 going to hold them responsible or that
9 they should be held responsible by the
10 University? Which does it mean?
11 Q. The University should --
12 A. That isn't what you said.
13 Q. But --
14 A. What you said was quite vague,
15 they --
16 Q. No.
17 A. -- should be held responsible.
18 That could mean that you were going to
19 hold them responsible, or it could mean
20 the University. If you had written it
21 the other way, I wouldn't have read it
22 as a threat.
23 Q. Well --

Page 360

1 A. But it --
2 Q. -- other people can -- I mean,
3 the -- we will go to the court and jury
4 will judge. If a person is telling
5 that, I think the people who signed this
6 document should be held responsible, and
7 I'm writing it to higher authorities, it
8 means that those higher authorities I'm
9 telling them should -- I'm telling to
10 higher authorities that these --
11 MR. DYKES: And if you're
12 explaining --
13 BY MR. AMIRI:
14 Q. -- people --
15 MR. DYKES: -- yourself, you
16 have every right to do it. But if --
17 if -- if your explanation is leading
18 into a question, then continue and --
19 MR. AMIRI: No, I'm making a
20 statement, and you are stopping me.
21 MR. DYKES: And I understand.
22 Deposition is not the time for you to
23 make a statement of your case.

Page 361

1 MR. AMIRI: But deposition is
2 not --
3 MR. DYKES: You're making a
4 statement and then -- and you're asking
5 your statement as part of a question.
6 Okay. But if you're just making a
7 statement explaining why you don't think
8 that is threatening, that -- that's not
9 a deposition.
10 MR. AMIRI: Mr. Counsel, I have
11 the right to make a statement and you --
12 MR. DYKES: You -- you don't
13 have a right --
14 MR. AMIRI: -- should not
15 interrupt me in the --
16 MR. DYKES: No.
17 MR. AMIRI: -- middle of my --
18 MR. DYKES: You do not have a
19 right to make a statement as pa- --
20 as -- in your deposi- -- you have the
21 right to ask her questions, and she
22 answers your questions. But you -- the
23 deposition is not the time to go into a

91 (Pages 358 - 361)

<p style="text-align: right;">Page 362</p> <p>1 collo- -- soliloquy about your views of 2 why or why that was not a threat. 3 If you noticed, when I deposed 4 you, I did not -- I asked you questions. 5 I didn't -- I didn't give two-minute 6 intro statements into a question. I 7 asked you a question. I've given you a 8 ton of leeway to give an explanation and 9 then ask a question. This one sounded 10 like you were just making your 11 explanation as part -- 12 THE WITNESS: And so what is 13 the question? 14 MR. DYKES: -- of a statement. 15 So, if there's a question, ask the 16 question. 17 MR. AMIRI: Are you finished? 18 MR. DYKES: I -- I am. 19 MR. AMIRI: In the last five 20 minute, Mr. Counsel, you cut my talking, 21 my statement, few times. When I'm 22 waiting for you to finish, it is 23 appropriate if you wait for me to finish</p>	<p style="text-align: right;">Page 364</p> <p>1 done. So I'm done talking. Ask a 2 question. 3 MR. AMIRI: No, I'm asking you, 4 would you please all the time that -- 5 whether I am talking or witness is 6 talking, you wait the person who is 7 talking finish, because in some 8 occasions, you are coming into the 9 middle of the testimony of the witness 10 and sometimes you are cutting my words. 11 When I'm talking, you are coming in, and 12 you are not waiting I finish or the 13 witness finish. Could you please since 14 now you do not come in the middle of the 15 talk. 16 MR. DYKES: I -- if I have come 17 into a middle of your answer during the 18 course of the day, I apologize. I do 19 not think I have done that. 20 I know I've objected to form. 21 I've tried to do that quietly, so that I 22 did not interrupt you. I -- I've not 23 interrupted -- I've tried not to</p>
<p style="text-align: right;">Page 363</p> <p>1 and not to jump into the middle of my 2 statement, whether that statement is in 3 response to your question or your 4 argument or it is another statement I'm 5 making in another occasion. So it is -- 6 please, if it is possible for you, do 7 not cut my -- me when I'm talking. 8 MR. DYKES: Ask her a question. 9 If you ask her a question, I'm not going 10 to cut your question off. 11 MR. AMIRI: Yeah. Would you 12 please not to cut my statements when I'm 13 making a statement? Can you please wait 14 until the end -- 15 MR. DYKES: I can't -- 16 MR. AMIRI: -- of that? 17 MR. DYKES: -- agree that I'm 18 not going to cut a statement off because 19 this isn't the time or the place to make 20 statements; it's your time to ask 21 questions. I'm not trying -- I -- and 22 I -- I would like to stop talking, so 23 you can ask questions and we can get</p>	<p style="text-align: right;">Page 365</p> <p>1 interrupt a question, other than to put 2 an objection on the record when you were 3 done. When you start talking and you go 4 on for 30 seconds, a minute, yes, I -- I 5 will try not to interrupt there, but, if 6 it's not leading to a question, I am 7 going to object. 8 MR. AMIRI: Well, now you made 9 a statement and you was pointing to 10 witness, and you are apologizing from 11 the witness for cutting her testimony. 12 Is this correct? 13 MR. DYKES: I did apologize to 14 her if I cut her off. 15 MR. AMIRI: Okay. Because your 16 voice only is being recorded and your 17 picture is not being recorded, so 18 from -- based on the transcript, they 19 don't know that you -- 20 MR. DYKES: Okay. 21 MR. AMIRI: -- did apologize 22 for the wit- -- 23 MR. DYKES: For --</p>

<p style="text-align: right;">Page 366</p> <p>1 MR. AMIRI: -- from the 2 witness. 3 MR. DYKES: -- for the record, 4 I ra- -- I raised my hand, and I did 5 point at the witness when I said, "I 6 apologize if I have cut you off. I 7 didn't think that I had today." 8 So, again, my hand now is 9 pointing toward Dr. Carvalho. If I have 10 cut you off today, I am sorry. I didn't 11 think that I had. 12 MR. AMIRI: And then you rotate 13 to me and continued your answer. Is 14 this correct? 15 MR. DYKES: And then I did 16 rotate in my chair and faced you 17 directly because I was facing 18 Dr. Carvalho when I was talking to her. 19 I do try to look at the person that I'm 20 talking to. 21 MR. AMIRI: Okay. Can we 22 continue, please? 23 MR. DYKES: Please go ahead.</p>	<p style="text-align: right;">Page 368</p> <p>1 carry that subject line. 2 Q. Does it mean that you have this 3 email? 4 A. Yes. I sent it to Charles 5 Dorsey. 6 Q. This email had about ten 7 attachments that describes five 8 different topics. Did you look -- take 9 a look at those attachments? 10 A. I don't remember. 11 Q. But you wrote this email to 12 Mr. Charles Dorsey and this email 13 contains huge amount of information that 14 previously in your testimony -- 15 A. Yes. 16 Q. -- you told you don't have. 17 A. I don't remember if I read 18 them. I don't remember if I opened 19 them. If they related to your research, 20 they would not be relevant to me. If 21 they were voice recordings, I didn't 22 listen to them. Were the voice 23 recordings part of the attachments?</p>
<p style="text-align: right;">Page 367</p> <p>1 MR. AMIRI: Yes. 2 BY MR. AMIRI: 3 Q. The next email in this same 4 page in the bottom is an email from you, 5 Dr. Susan Carvalho, sent to Charles 6 Dorsey. Can you tell me what is the 7 subject of the email? 8 A. (Reviews document) 9 Q. Re- -- you -- you can read it, 10 the subject -- 11 A. I have to read -- well, I have 12 to read -- 13 Q. No, just one -- 14 A. -- from the bottom. It's -- 15 Q. The subject is "Five Topics for 16 One Dissertation." 17 A. Yes, I believe that was your 18 subject line. 19 Q. No, pr- -- please - -- 20 A. Yes, it was -- 21 Q. -- look at -- 22 A. -- your subject line, and we 23 forwarded your emails on, so they all</p>	<p style="text-align: right;">Page 369</p> <p>1 Q. Yes. 2 A. I didn't listen to them. I 3 heard your voice for the first time 4 today. But I did forward it. It says 5 here, "The email chain below and its 6 attachments." But remember, I'm not 7 judging your case. You're not pleading 8 your case to me, and I am not reading 9 all of that. 10 Q. But I received the only 11 official email from you, and you did not 12 read any of my email- -- any of my 13 emails. 14 A. That is correct. Because, 15 again, the grievance process would have 16 been where I would have heard all of 17 that. 18 Q. And you did not listen to any 19 of the audiotapes I sent. 20 A. Again, I don't know if I had 21 them or not, but I would not have 22 listened to them because we were not in 23 a grievance process.</p>

93 (Pages 366 - 369)

<p style="text-align: right;">Page 370</p> <p>1 Q. But you are sending my 2 dismissal letter based on exaggerated 3 emphasis on your version of grievance 4 procedure, because I am saying I did 5 grievance procedure. 6 A. So what is the question, for 7 me? 8 Q. Do -- do you think your 9 decision is correct or not? 10 A. Yes. 11 Q. In the next page, there is an 12 email from Charles Dorsey. It is dated 13 Friday, 23rd, 2017, and he -- he sent it 14 to you, to Susan Carvalho. 15 A. The one at 6:26 p.m.? 16 Q. Yes. Could you please read the 17 first paragraph? 18 A. Yes. "On 4/26/2017, the Office 19 of Threat Assessment, OTA, became 20 involved in this matter at the request 21 of UA's Compliance, Ethics, and 22 Regulatory Affairs Coordinator Dr. Marcy 23 Huey. Based on this inquiry, the OTA</p>	<p style="text-align: right;">Page 372</p> <p>1 correct, so I'm not a threat. But the 2 previous emails that we just read was 3 dated after this. You are insisting to 4 him that I -- two professors considered 5 my email a threat. Is it a correct 6 action that you did? 7 MR. DYKES: Object to the form. 8 BY MR. AMIRI: 9 Q. You are -- 10 A. When I wrote to him, I was 11 informing him that I had learned that 12 those professors felt that email to be a 13 threat, and I shared their concern. I 14 also felt that it could be threatening, 15 and he said they had already looked into 16 your situation -- which I did not 17 know -- and that you were not a threat. 18 I was not insisting to him; I was only 19 explaining, "Thank you for your note." 20 Q. But your emails to Mr. -- 21 A. So when I wrote to him, I did 22 not raise the question of threat. He 23 wrote to me and said your threat level</p>
<p style="text-align: right;">Page 371</p> <p>1 conducted its standard background 2 examination regarding AMA, CWID 3 11342916, from a behavioral threat 4 assessment perspective. After a 5 thorough review of all available 6 documented information, AMA's risk of 7 committing a violent and/or assaultive 8 act was placed at the low level. On 9 4-" -- how many -- how much? Keep 10 reading? 11 Q. That is okay. 12 A. Oh, good. 13 MR. DYKES: Can I see that 14 again? 15 THE WITNESS: (Tenders 16 document) 17 MR. DYKES: (Reviews document) 18 BY MR. AMIRI: 19 Q. So in this letter, Mr. Charles 20 Dorsey is explaining to you which 21 procedure they took and it is on 23rd. 22 And he's telling you that my threat 23 level is low. So the accusation are not</p>	<p style="text-align: right;">Page 373</p> <p>1 was low, and I sent to him the email I 2 said why those people felt threatened. 3 I was not insisting to him; I was making 4 sure that he had that information, 5 because he was referencing an earlier 6 look at your situation. So I was making 7 sure that he saw this. 8 Q. Please take a look at dates. 9 In 4/26/2017, they did an assessment. 10 A. Yeah, that was a long time 11 before. 12 Q. Yes. And they told that it is 13 a low level. Is this correct? 14 A. Yes. 15 Q. And on June 23rd, the answer 16 that -- to you that this person is not a 17 threat to campus, but you are continuing 18 your emails to him until June 30. 19 A. I wrote to him on June 23rd 20 about your email of June 1. 21 Q. Yes. I believe we started from 22 later dates and we go -- we went back. 23 A. Right. You have to read from</p>

<p style="text-align: right;">Page 374</p> <p>1 the back.</p> <p>2 Q. Actually, it was good that we</p> <p>3 started from later time --</p> <p>4 A. Okay.</p> <p>5 Q. -- so we can reach to some</p> <p>6 point. So can you please continue from</p> <p>7 where you read, continue the rest of the</p> <p>8 email. There is one more paragraph.</p> <p>9 A. "Based on the provided</p> <p>10 information to date, the OTA has no</p> <p>11 reason to change AMA's behavioral risk</p> <p>12 level. Regarding your other questions,</p> <p>13 the stated mission of the OTA has no</p> <p>14 responsibility to become involved in</p> <p>15 academic misconduct decisions. The</p> <p>16 current policies of the Department of</p> <p>17 Physics and Astronomy should dictate the</p> <p>18 status/future status of AMA within that</p> <p>19 department. The OTA would be happy to</p> <p>20 meet and further discuss this matter if</p> <p>21 deemed appropriate. Please advise of</p> <p>22 any additional questions and/or</p> <p>23 comments. Regards, Charlie Dorsey."</p>	<p style="text-align: right;">Page 376</p> <p>1 talking about the questions I asked him.</p> <p>2 I asked him four questions, and he said,</p> <p>3 "Those are not my job."</p> <p>4 Q. Yes, that is --</p> <p>5 A. "Ask the department."</p> <p>6 Q. -- that is exactly. When it</p> <p>7 is -- it is not the jo- --</p> <p>8 A. He said, "Ask the department."</p> <p>9 Q. So when it is not the job of</p> <p>10 police officers, then you should have a</p> <p>11 procedure to solve those problems. Is</p> <p>12 this correct? This is --</p> <p>13 A. We do, yes.</p> <p>14 Q. -- this is academic problem.</p> <p>15 You need to have a procedure for</p> <p>16 academic problem.</p> <p>17 A. The pol- -- current policies of</p> <p>18 the department dictate the status. The</p> <p>19 policies of the department are, the</p> <p>20 committee will meet, determine whether</p> <p>21 you're making timely progress toward a</p> <p>22 degree. If you are not, you are</p> <p>23 dismissed from the program. The</p>
<p style="text-align: right;">Page 375</p> <p>1 Q. So basically they are telling</p> <p>2 that the academic situation should be</p> <p>3 done through grievance procedure. So</p> <p>4 grievance procedure is not only for the</p> <p>5 student, the professor should have a</p> <p>6 grievance procedure as well. If there</p> <p>7 is an academic problem between a</p> <p>8 professor and the student, the</p> <p>9 professor cannot just dismiss the</p> <p>10 student; he can start the grievance</p> <p>11 procedure as well.</p> <p>12 MR. DYKES: Object to the form.</p> <p>13 BY MR. AMIRI:</p> <p>14 Q. The police department is not</p> <p>15 here to solve the academic problems.</p> <p>16 A. Is that a question?</p> <p>17 Q. My question is that, do you</p> <p>18 accept that the faculty members who</p> <p>19 doesn't like a student for any reason,</p> <p>20 is there any procedure that that faculty</p> <p>21 member should go through that?</p> <p>22 A. No. He wasn't talking here</p> <p>23 about the grievance process. He was</p>	<p style="text-align: right;">Page 377</p> <p>1 handbook says it. Those are the current</p> <p>2 policies. We followed those policies.</p> <p>3 If you don't like the decision, then you</p> <p>4 use the grievance process.</p> <p>5 But that's not what he's</p> <p>6 talking about here, and it's not what</p> <p>7 the professors would do. The professors</p> <p>8 would follow the handbook. If you don't</p> <p>9 like it, you initiate grievance.</p> <p>10 Q. But --</p> <p>11 A. But that's not -- he's not</p> <p>12 talking about grievance. Here he's</p> <p>13 saying the policies of the department,</p> <p>14 which means the handbook. See?</p> <p>15 Q. Do you think you addressed the</p> <p>16 question or you give more broader answer</p> <p>17 to me?</p> <p>18 A. I think I addressed the</p> <p>19 question.</p> <p>20 Q. So the quest- -- the police</p> <p>21 department is telling you that the</p> <p>22 academic problems should be solved</p> <p>23 through academic means. The police will</p>

<p style="text-align: right;">Page 378</p> <p>1 not come to solve --</p> <p>2 A. I -- I -- I think we would</p> <p>3 understand each other better if we used</p> <p>4 their words.</p> <p>5 Q. Yes.</p> <p>6 A. Okay.</p> <p>7 Q. Yes.</p> <p>8 A. He said, "The current policies</p> <p>9 of the department should dictate the</p> <p>10 status of AMA." That's what it says.</p> <p>11 Q. Yes.</p> <p>12 A. And that's what we did.</p> <p>13 Q. No, that is not what you did.</p> <p>14 A. Okay.</p> <p>15 Q. You continued --</p> <p>16 MR. DYKES: Again, it's not</p> <p>17 an --</p> <p>18 MR. AMIRI: Can you --</p> <p>19 MR. DYKES: -- argument.</p> <p>20 MR. AMIRI: It is not --</p> <p>21 MR. DYKES: If you have a</p> <p>22 question, ask a question.</p> <p>23 MR. AMIRI: Okay.</p>	<p style="text-align: right;">Page 380</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. Do you accept this statement as</p> <p>3 correct? Was you trying to convince the</p> <p>4 police officers that --</p> <p>5 A. No.</p> <p>6 Q. -- this is a threat?</p> <p>7 A. I wasn't trying to convince the</p> <p>8 police officers it was a threat. I was</p> <p>9 trying to make sure Charlie Dorsey had</p> <p>10 read this. That's the only thing I was</p> <p>11 trying to do. "Charlie" --</p> <p>12 Q. But --</p> <p>13 A. -- "did you read this</p> <p>14 paragraph?" That's all.</p> <p>15 Q. You didn't say -- you quoted</p> <p>16 few words from --</p> <p>17 A. And I sent --</p> <p>18 Q. -- an email.</p> <p>19 A. -- him the email.</p> <p>20 Q. Yes. In the email, you --</p> <p>21 A. I sent him the full email, and</p> <p>22 I referenced that paragraph.</p> <p>23 Q. And you choose few words to</p>
<p style="text-align: right;">Page 379</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. Then, if you -- it is what you</p> <p>3 did. What -- why in June 29 you wrote</p> <p>4 another email to him saying that, Two of</p> <p>5 the faculty members, Dean Townsley and</p> <p>6 Dr. Conor Hen- -- Henderson, told him</p> <p>7 that they felt threatened by the content</p> <p>8 of the email, the tone, and the</p> <p>9 reference to the artwork. Specifically,</p> <p>10 they pointed to his statement that 'they</p> <p>11 will be held responsible' and 'they will</p> <p>12 see the con-" -- "consequence of their</p> <p>13 unethical action."</p> <p>14 A. Um-hum.</p> <p>15 Q. So this is in June 29, one week</p> <p>16 later you are sending to him --</p> <p>17 A. -- your June 1st email, yes.</p> <p>18 Q. Yes. June 1st. So you are</p> <p>19 trying to convince him that this is a</p> <p>20 matter that should be handled by police</p> <p>21 department because there is a threat.</p> <p>22 A. Are you asking me?</p> <p>23 MR. DYKES: Object to the form.</p>	<p style="text-align: right;">Page 381</p> <p>1 show that this is a threat, this is</p> <p>2 not --</p> <p>3 A. That's the part that's a</p> <p>4 threat, yes.</p> <p>5 Q. So the police department is</p> <p>6 telling you on June 23rd that the</p> <p>7 current policies of Department of</p> <p>8 Physics and Astronomy should dictate the</p> <p>9 status of AMA --</p> <p>10 A. Again, they are --</p> <p>11 Q. -- and you are --</p> <p>12 A. -- answering about these four</p> <p>13 bullet points. These four bullet points</p> <p>14 are not about that paragraph. These</p> <p>15 four bullet points are about your access</p> <p>16 to labs. It's a totally separate</p> <p>17 question. So --</p> <p>18 Q. My -- my question is very</p> <p>19 clear.</p> <p>20 A. Yes.</p> <p>21 Q. Did you try to convince police</p> <p>22 officers --</p> <p>23 A. No.</p>

<p style="text-align: right;">Page 382</p> <p>1 Q. -- to attack my apartment or 2 not? 3 A. No. 4 Q. Okay. That is answer. 5 Let's go to the next page. 6 (Reviews document) I don't think we 7 need to continue on this -- 8 A. Ah. 9 Q. -- document. 10 A. Let's turn in that one, and 11 let's go to 19. 12 Q. Okay. 13 A. Do you have another page of 14 stickers? Oh, you do. Excellent. 15 (PLAINTIFF'S EXHIBIT NO. 19 16 MARKED) 17 MR. AMIRI: Exhibit Number 19. 18 THE WITNESS: Um-hum. 19 MR. DYKES: (Reviews document) 20 BY MR. AMIRI: 21 Q. This Exhibit Number 19 is two 22 pages. Can you please tell me what is 23 there in the first page?</p>	<p style="text-align: right;">Page 384</p> <p>1 Meeting organizer." "Organizer" is 2 Susan Carvalho. "Required Attendees" is 3 Dr. Han. 4 A. (Nods affirmatively) 5 Q. So you had a meeting with your 6 counsel, Jared Miller. 7 A. No. No. 8 Q. What -- 9 MR. DYKES: I just explained to 10 you -- 11 A. As he just explained -- 12 MR. DYKES: -- why Jared 13 Miller's -- 14 A. -- that just ended up -- 15 MR. DYKES: -- name is there. 16 Jared was not involved in the meeting. 17 That was -- ended up there because Jared 18 reviewed your emails, they're on his 19 computer, and forwarded them to be put 20 into PDF by our paralegal. When it 21 forwarded from his computer, it put his 22 name at the top. So that is the reason 23 his name is there. It has nothing to do</p>
<p style="text-align: right;">Page 383</p> <p>1 A. "Hi, Luoheng. Can I call you 2 at 2:30 to discuss Ali Amiri? Thanks. 3 Susan." 4 Q. Yes. But this is showing a 5 meeting between you and the counsel, 6 Jared Miller. 7 MR. DYKES: No, that's because 8 your emails were downloaded onto Jared's 9 computer, and, when he forwarded them to 10 be copied -- or to be put into PDF to 11 produce, his name stayed at the top. So 12 he was not involved in the stuff back 13 in 2017. That ended up there when -- as 14 part of the production. 15 MR. AMIRI: And will you let me 16 to read that document? 17 MR. DYKES: Right. 18 BY MR. AMIRI: 19 Q. The "Subject" is "Phone call re 20 Ali Amiri." "Location" -- "Location: 21 Susan will call." "Start: Monday, 22 6/26/2017, 2:30 p.m." "End: Monday, 23 6/26/2017, 3:00 p.m." "Meeting Status:</p>	<p style="text-align: right;">Page 385</p> <p>1 with the email itself or the calendar. 2 It's purely a result of the review was 3 done on his computer, and he forwarded 4 it to be put into a PDF and produced. 5 BY MR. AMIRI: 6 Q. So you claim that these two 7 meetings is not with the counsel; it is 8 with the professors? 9 A. Absolutely. This was a phone 10 call between myself and Luoheng, and 11 this was a meeting with Luoheng and 12 Patrick. Jared Miller, I don't know who 13 that is. 14 MR. DYKES: That's Jared. 15 (Indicating) 16 THE WITNESS: Oh. 17 (LAUGHTER) 18 THE WITNESS: I'm sorry. 19 That's Jared. 20 MR. DYKES: That's right. And, 21 yes -- 22 MR. AMIRI: He is your counsel. 23 MR. DYKES: -- I pointed at</p>

Page 386

1 Jared Miller, who is sitting to my
2 right.
3 THE WITNESS: Sorry.
4 MR. DYKES: No, it's fine.
5 MR. MILLER: Okay.
6 THE WITNESS: I knew you were
7 Jared. I just didn't --
8 MR. DYKES: Yeah.
9 THE WITNESS: -- connect it
10 with this. Yeah.
11 MR. AMIRI: I will introduce
12 Exhibit Number 20.
13 (PLAINTIFF'S EXHIBIT NO. 20
14 MARKED)
15 MR. DYKES: (Reviews document)
16 BY MR. AMIRI:
17 Q. Exhibit Number 20 is two pages,
18 and it is two pictures from the same
19 bulletin. The bulletin is the bulletin
20 for the MINT Center. The name of the
21 professor who usually uses this bulletin
22 is Dr. Gary Mankey, and his name is
23 visible on top of the bulletin. And I

Page 387

1 will ask you a few questions.
2 The first page, this is an
3 email that forwarded to you, and it is
4 from UA Production, so you have seen
5 this email. You have seen this picture.
6 Is it true?
7 A. It was -- yeah, it came to me
8 with this email.
9 Q. So have you seen this email
10 before?
11 A. Yes.
12 Q. Have you discussed the content
13 of this picture with other people
14 involved in this matter?
15 MR. DYKES: Other than -- well.
16 A. I forwarded this email to
17 Charlie Dorsey, and I talked about this
18 email with Patrick and Luoheng. But I
19 wasn't as concerned with the picture as
20 with that paragraph, so I don't believe
21 I discussed this picture.
22 Q. So this is a picture of a Grim
23 Reaper that was there for five months.

Page 388

1 So what was --
2 A. Yes, you mentioned.
3 Q. What was your discussion with
4 Dr. Han and Dr. LeClair about this
5 picture?
6 A. We didn't discuss this picture.
7 If we did, I don't remember it. My
8 concern with Patrick LeClair and Luoheng
9 was about your status as a student.
10 This picture was not a big part of my
11 thinking.
12 Q. But why it is not a big part of
13 your thinking? It is a Grim Reaper --
14 A. Because I don't know how Gary
15 Mankey was involved or who drew this or
16 why you're including it or why it's
17 related. I didn't see any explanation.
18 You said you attached it, but then the
19 things you said about it were -- were
20 vague and unconnected to the issues at
21 hand. You said "special artwork," and
22 "I have some other artworks of this
23 artist." I didn't know who that is, but

Page 389

1 that's a line of inquiry that didn't
2 concern any decision I was making, any
3 action I was taking. So I -- this was
4 not a big part of my decisions.
5 Q. Can you explain why a poster of
6 a Grim Reaper should be in the bulletin
7 board of the MINT Center for five
8 months? Doesn't it concern you?
9 A. No.
10 Q. But he has a sand clock in his
11 hand.
12 A. Yeah.
13 Q. And he has another weapon in
14 his hand.
15 A. I thought it was --
16 Q. Doesn't --
17 A. -- Father Time.
18 Q. Doesn't that threaten you?
19 A. It did not threaten me.
20 Q. But my email that I'm saying
21 these people are decent people and they
22 should be held responsible by higher
23 authorities, it is threatening, but this

<p style="text-align: right;">Page 390</p> <p>1 Grim Reaper with a sand clock in his 2 hand and a called weapon in -- in his 3 other hand is not threatening, but my 4 email I'm already telling I think these 5 people are good people, I have -- 6 A. Is that a question? 7 Q. No -- 8 A. I mean, I would interpret all 9 of that differently. I could tell 10 you -- 11 Q. No, no, I don't -- 12 A. -- why I think this is not 13 threatening, and I can tell you why I 14 think this paragraph is threatening. 15 Q. So -- 16 A. But the way you just 17 represented it is not the way I see -- 18 Q. Then let's make -- 19 A. -- either one of those things. 20 Q. Then let's make it concise. Do 21 you think this picture is threatening 22 for an academic university -- for a 23 university?</p>	<p style="text-align: right;">Page 392</p> <p>1 mean, you are a professor -- that if I'm 2 taking a picture from that, probably it 3 is related to me, and I took this 4 picture in 2015. If I'm keeping it for 5 two years, it should mean something. 6 Isn't it correct? 7 MR. DYKES: Object to the form. 8 A. Again, I wasn't judging your 9 case. You weren't presenting a case to 10 me. I wasn't drawing a judgment about 11 it. 12 BY MR. AMIRI: 13 Q. But -- but the -- 14 A. So, no, this was not a part of 15 my decision-making. It was not a 16 question I asked of myself or of others. 17 No. Do I think I should have? No. If 18 it happened again, would I? No. Do you 19 think I should have? Probably. 20 Q. Okay. Please take a look at 21 the next page. 22 MR. DYKES: Can I see that one 23 again? I'm sorry.</p>
<p style="text-align: right;">Page 391</p> <p>1 A. No. 2 Q. So it is okay to have this 3 picture in the bulletin? 4 A. Without further context that 5 would make it nefarious, I think it's 6 okay. If there were any context that 7 made it nefarious, like someone, you 8 know, put it on your desk or put your 9 name on it or you knew who did it or it 10 was aimed at you in some way, maybe I 11 could -- I would read it differently, 12 but by itself on a wall in a hall, no. 13 Q. Do you think this specific 14 image was intended for a specific person 15 or do you think it is just a general 16 picture? 17 A. I have no idea or information 18 about it being intended for a specific 19 person. 20 Q. Do you know why I take a 21 picture from that? 22 A. I don't. 23 Q. Don't you think logically -- I</p>	<p style="text-align: right;">Page 393</p> <p>1 THE WITNESS: (Tenders 2 document) Yeah, have I seen this one? 3 MR. DYKES: (Reviews document) 4 MR. AMIRI: No, you didn't see 5 this one. 6 BY MR. AMIRI: 7 Q. Can you please read what is 8 written in the bulletin? 9 A. It says, "The pain is part of 10 the reward." 11 Q. Do you think that this 12 statement should be written in the 13 bulletin of a research center? 14 A. I don't have a specific problem 15 with it, unless it were aimed at -- 16 related to some specific situation that 17 I don't have a context for. By itself, 18 I don't have a problem with it. 19 Q. Do you know that I took a 20 picture from that? 21 A. I -- I know that you're telling 22 me now that you took a picture of that. 23 Q. So, it means that it was</p>

Page 394

1 directed to somebody and most probably
 2 that person was me that I'm taking the
 3 picture to have in my record. Is it
 4 correct?
 5 MR. DYKES: Object to the form.
 6 A. If you say so.
 7 BY MR. AMIRI:
 8 Q. Why --
 9 A. I don't know the -- I don't
 10 have any reason to think it was directed
 11 at you besides you telling me that you
 12 think it was.
 13 Q. So this professor is talking
 14 about "the pain."
 15 A. Who is this? I don't even know
 16 who it is.
 17 Q. And you don't care, as well.
 18 A. It doesn't --
 19 MR. DYKES: Object to the form.
 20 A. -- have anything to do with
 21 decisions I make.
 22 BY MR. AMIRI:
 23 Q. But, as a high-rank official in

Page 395

1 the University of Alabama, when you see
 2 this poster, do you take any action?
 3 A. No.
 4 Q. So these kind of posters is
 5 commonplace in University of Alabama and
 6 it is okay. Yes?
 7 MR. DYKES: Object to the form.
 8 A. I would not take any action. I
 9 don't -- you're asking me if it's
 10 commonplace. I don't know.
 11 BY MR. AMIRI:
 12 Q. Okay. You wouldn't take
 13 action. That is correct. And you
 14 didn't take action.
 15 A. I -- but I don't think I saw
 16 this. But, if I did, I wouldn't take
 17 action.
 18 Q. Yes. Do you know if anybody
 19 asked from Dr. Mankey what he means by
 20 this statement?
 21 A. I don't know.
 22 Q. What is your understanding of
 23 this statement? A general

Page 396

1 understanding, what do you understand
 2 from this?
 3 A. What I would assume is that
 4 writing a dissertation is hard, but you
 5 get a Ph.D. at the end. That's my
 6 interpretation, if I knew they were
 7 talking about a dissertation.
 8 Q. But why write it --
 9 A. Maybe they're talking about
 10 exercise. How do I know? But.
 11 Q. But the pain is different from
 12 difficulties. Difficulty is not pain.
 13 Pain is when you cannot do anything
 14 about something.
 15 A. Well, we're -- we're parsing
 16 this quite a lot now. I'm not an
 17 analyst of that kind.
 18 Q. Okay. No problem.
 19 A. Interesting to talk about, but.
 20 Q. And do you think this
 21 environment is a healthy academic
 22 environment?
 23 A. I would need more than that to

Page 397

1 judge whether this is a healthy academic
 2 environment.
 3 Q. Would you search for those
 4 information?
 5 A. No.
 6 Q. Why?
 7 A. If a student had an issue, they
 8 would present it in the grievance
 9 process and present this as part of the
 10 evidence and explain why they think this
 11 relates to them.
 12 And then Professor Gary Mankey
 13 would say, "Who wrote it and why and
 14 when?" and this would be heard. And if
 15 at some point that came to me, I would
 16 hear all of that and derive some
 17 conclusion. But that's not where we
 18 are.
 19 Q. Dr. Carvalho, I'm not asking
 20 about a student. My question was that,
 21 do you think this environment is a
 22 healthy academic environment? It is
 23 both --

<p style="text-align: right;">Page 398</p> <p>1 A. I s- -- I can't -- I --</p> <p>2 Q. It is --</p> <p>3 A. -- cannot draw a conclusion</p> <p>4 about the health of this academic</p> <p>5 environment based on this picture.</p> <p>6 Q. Given the relation between</p> <p>7 professors, you cannot judge that there</p> <p>8 is some problem going on, because a</p> <p>9 professor is talking about pain, Grim</p> <p>10 Reaper, and nobody asking him anything.</p> <p>11 The -- and on the bulletin is a place</p> <p>12 that you communicate with other people.</p> <p>13 The communication is about pain. Is</p> <p>14 it -- it is about the sand clock that</p> <p>15 the Grim Reaper has in his hand. Do you</p> <p>16 think this kind of environment is an</p> <p>17 environment that should be recognized as</p> <p>18 an academic environment?</p> <p>19 MR. DYKES: Object to the form.</p> <p>20 A. And I would, again, not draw a</p> <p>21 conclusion about something as important</p> <p>22 as healthy academic environment based on</p> <p>23 these pictures.</p>	<p style="text-align: right;">Page 400</p> <p>1 her a question, but I do have an</p> <p>2 objection if you're going to make a</p> <p>3 statement.</p> <p>4 MR. AMIRI: I see.</p> <p>5 BY MR. AMIRI:</p> <p>6 Q. Do you know in this environment</p> <p>7 three professors was terminated after --</p> <p>8 A. No.</p> <p>9 Q. -- June --</p> <p>10 MR. DYKES: Object to the form.</p> <p>11 BY MR. AMIRI:</p> <p>12 Q. -- 2017?</p> <p>13 A. No.</p> <p>14 Q. Do you know in this environment</p> <p>15 three people --</p> <p>16 MR. DYKES: Object to the form.</p> <p>17 BY MR. AMIRI:</p> <p>18 Q. -- one professor and two</p> <p>19 students, who was working on National</p> <p>20 Science Foundation project, was</p> <p>21 terminated?</p> <p>22 A. No.</p> <p>23 MR. DYKES: Object to the form.</p>
<p style="text-align: right;">Page 399</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. Well --</p> <p>3 A. Absent a broader context.</p> <p>4 You're asking me a question I can't</p> <p>5 answer.</p> <p>6 Q. Okay. But, then, at least let</p> <p>7 me make a statement on the record.</p> <p>8 MR. DYKES: Okay. If you're --</p> <p>9 are you making a statement or asking her</p> <p>10 a question?</p> <p>11 MR. AMIRI: I'm ask- -- I'm</p> <p>12 making a statement on the record to</p> <p>13 make --</p> <p>14 MR. DYKES: Okay.</p> <p>15 MR. AMIRI: -- sure all the</p> <p>16 information are on the record.</p> <p>17 MR. DYKES: The -- again, this</p> <p>18 is not -- you don't make statements in a</p> <p>19 dep- -- when you are taking a</p> <p>20 deposition. You ask questions. So, if</p> <p>21 you're going to make a statement, I</p> <p>22 object to you making a statement. I</p> <p>23 have no objection if you want to ask</p>	<p style="text-align: right;">Page 401</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. Do you think you should try to</p> <p>3 find information about this situation?</p> <p>4 A. No.</p> <p>5 Q. Why do you think that you --</p> <p>6 MR. DYKES: Again, object to</p> <p>7 the form.</p> <p>8 BY MR. AMIRI:</p> <p>9 Q. -- shouldn't find more</p> <p>10 information?</p> <p>11 A. Why? Because it doesn't relate</p> <p>12 to my area of responsibility.</p> <p>13 Q. Do you think who should take an</p> <p>14 action in this regard in the University</p> <p>15 of Alabama?</p> <p>16 A. I think the appropriate people</p> <p>17 are watching those processes.</p> <p>18 Q. Who are they?</p> <p>19 A. Well, it depends on why they</p> <p>20 were terminated. Probably the dean of</p> <p>21 the college.</p> <p>22 Q. No, we are not talking about</p> <p>23 termination.</p>

Page 402

1 A. Oh, I thought we were --
 2 MR. DYKES: You ju- -- no --
 3 A. -- talking about the faculty --
 4 MR. DYKES: -- you just talked
 5 about --
 6 A. -- members who were terminated.
 7 MR. DYKES: -- three people
 8 being terminated.
 9 MR. AMIRI: Oh, I was
 10 thinking --
 11 MR. DYKES: That you said were
 12 terminated.
 13 MR. AMIRI: -- we talking about
 14 my termination.
 15 BY MR. AMIRI:
 16 Q. So, I'm talking about June
 17 2017. Okay? You are high-rank official
 18 in the University of Alabama. Do you
 19 have information who should take action
 20 in these cases? When there is a clash
 21 between two professors, who should enter
 22 and stop this confrontation between two
 23 group of professors? So --

Page 403

1 A. If there's a confrontation
 2 between two groups of processors, the
 3 department chair handles it. If the
 4 department chair is too involved, then
 5 the college dean handles it.
 6 Q. If the dean of college is
 7 involved himself, who should handle
 8 that?
 9 A. If the dean of the college is
 10 involved, then the provost would handle
 11 it.
 12 Q. Did the provost handle that?
 13 A. Was the dean of the college
 14 involved?
 15 Q. Yes.
 16 A. I -- I haven't seen that.
 17 Q. I sent direct emails to provost
 18 informing him --
 19 A. That's not --
 20 Q. -- that --
 21 A. -- sufficient.
 22 Q. What is sufficient? I sent the
 23 audiotape of the people in that -- in

Page 404

1 the Department of Art and Science,
 2 including the vice -- I mean what is
 3 that? -- Associate Dean Han, which
 4 he's -- now he's --
 5 A. In 2016? Or are we talking
 6 about 2017?
 7 Q. The audio record of him that I
 8 recorded was in 2016 that he was
 9 associate dean.
 10 A. Yes, sir.
 11 Q. When I sent --
 12 A. When you said the dean was
 13 involved, did you mean the associate
 14 dean?
 15 Q. I recorded the voice of
 16 associate dean. The dean himself didn't
 17 give me a meeting time. And I reported
 18 this situation to provost and president,
 19 telling them that there's --
 20 A. Right.
 21 Q. -- a confrontation --
 22 A. We're back to the same point.
 23 Q. Yes. So -- so -- so you

Page 405

1 believe that provost should take action
 2 in these cases. Is it correct?
 3 A. No.
 4 Q. So --
 5 A. Again, because what you did was
 6 send a pile of information to someone
 7 who was not next in the grievance
 8 process. The grievance about your
 9 dismissal needed to start again.
 10 Q. Dr. Carvalho, I'm not talking
 11 about grievance. I'm talking to you
 12 about confrontation between two group of
 13 professors.
 14 A. They -- then they needed to
 15 handle that.
 16 Q. Who needed to handle that?
 17 A. The groups of professors need
 18 to initiate a grievance --
 19 Q. Well, they handled --
 20 A. -- if they want to do that.
 21 Q. -- it very perfectly. One
 22 group terminated the other group.
 23 MR. DYKES: Okay. I'm going to

<p style="text-align: right;">Page 406</p> <p>1 object. You --</p> <p>2 THE WITNESS: Okay. I --</p> <p>3 MR. DYKES: -- there is ab- --</p> <p>4 you --</p> <p>5 THE WITNESS: -- we're way</p> <p>6 out of my range here, way out of my</p> <p>7 range.</p> <p>8 MR. AMIRI: Okay.</p> <p>9 MR. DYKES: Out of your range,</p> <p>10 and it's pure speculation, and you</p> <p>11 have --</p> <p>12 MR. AMIRI: I prove --</p> <p>13 MR. DYKES: -- no basis --</p> <p>14 MR. AMIRI: -- by the</p> <p>15 documents.</p> <p>16 MR. DYKES: Yeah. Okay.</p> <p>17 What time do you have to start</p> <p>18 shutting down?</p> <p>19 VIDEOGRAPHER: Four -- at</p> <p>20 about 4:45.</p> <p>21 MR. DYKES: Okay.</p> <p>22 (PLAINTIFF'S EXHIBIT NO. 21</p> <p>23 MARKED)</p>	<p style="text-align: right;">Page 408</p> <p>1 the record, but you are not letting</p> <p>2 answer.</p> <p>3 MR. DYKES: Well, that goes</p> <p>4 back -- I'm assuming you're saying that</p> <p>5 he's the one who replaced Dr. Pinkert,</p> <p>6 and I already said earlier I wasn't</p> <p>7 going to let her ask [sic] questions</p> <p>8 about that procedure.</p> <p>9 (PLAINTIFF'S EXHIBIT NO. 22</p> <p>10 MARKED)</p> <p>11 MR. AMIRI: I'm introducing</p> <p>12 Exhibit Number 22.</p> <p>13 THE WITNESS: (Tenders</p> <p>14 document)</p> <p>15 MR. DYKES: (Reviews document)</p> <p>16 Have we not already talked about the</p> <p>17 April 27th, 2017, emails today?</p> <p>18 THE WITNESS: Yeah --</p> <p>19 MR. AMIRI: That is --</p> <p>20 THE WITNESS: -- we have.</p> <p>21 MR. AMIRI: -- the exhibit. Do</p> <p>22 you have any objection?</p> <p>23 MR. DYKES: I object to the</p>
<p style="text-align: right;">Page 407</p> <p>1 MR. AMIRI: I'm introducing</p> <p>2 Exhibit Number 21.</p> <p>3 MR. DYKES: Can I see that?</p> <p>4 THE WITNESS: (Tenders</p> <p>5 document)</p> <p>6 MR. DYKES: (Reviews document)</p> <p>7 Okay. No. Thi- -- this is a news</p> <p>8 article from January the 17th of 2019.</p> <p>9 Tell me how this has anything to do with</p> <p>10 the procedures for your dismissal or</p> <p>11 your dismissal in 2017.</p> <p>12 MR. AMIRI: The procedure that</p> <p>13 this person is selected took more than</p> <p>14 one year.</p> <p>15 MR. DYKES: Okay.</p> <p>16 MR. AMIRI: So when the</p> <p>17 procedure for selecting this person is</p> <p>18 started, I was still a student in the</p> <p>19 University of Alabama.</p> <p>20 MR. DYKES: Okay. No. I'm not</p> <p>21 going to let her answer any questions</p> <p>22 about that.</p> <p>23 MR. AMIRI: So this will be on</p>	<p style="text-align: right;">Page 409</p> <p>1 fact that you've already asked her a</p> <p>2 good number of questions over half an</p> <p>3 hour about those emails from -- or a</p> <p>4 string of emails from April twenty- --</p> <p>5 from April of 2017 that she's not copied</p> <p>6 on and hadn't seen at the time, but go</p> <p>7 ahead and ask questions.</p> <p>8 MR. AMIRI: Yes. My question</p> <p>9 is, does it create a right for you to</p> <p>10 make an objections for one minute, two</p> <p>11 minute, and use the time of deposition?</p> <p>12 I did not ask any question about this.</p> <p>13 You are making objection. What is</p> <p>14 the --</p> <p>15 MR. DYKES: You offered --</p> <p>16 MR. AMIRI: -- reason?</p> <p>17 MR. DYKES: -- you -- you</p> <p>18 offered it to her to -- as an exhibit.</p> <p>19 I have the right to object to an</p> <p>20 exhibit. I objected to the exhibit.</p> <p>21 Ask a question if you want to ask</p> <p>22 questions about it.</p> <p>23 MR. AMIRI: Okay.</p>

<p style="text-align: right;">Page 410</p> <p>1 BY MR. AMIRI:</p> <p>2 Q. Dr. Susan Carvalho, what is the</p> <p>3 small picture in the first page?</p> <p>4 A. I don't know who that is.</p> <p>5 Is --</p> <p>6 Q. It is a picture of a person.</p> <p>7 Is this correct?</p> <p>8 A. Yes, it is a picture of a</p> <p>9 person.</p> <p>10 MR. DYKES: (Reviews document)</p> <p>11 MR. AMIRI: Mr. Counsel, why</p> <p>12 you want to see the document?</p> <p>13 MR. DYKES: Well, it is -- I'm</p> <p>14 representing the University of Alabama.</p> <p>15 You're asking my witness about an</p> <p>16 exhibit. I'm enti- -- you -- most of</p> <p>17 the time, counsel provides the other</p> <p>18 attorney a copy of the exhibits they're</p> <p>19 using, so that the attorney can look at</p> <p>20 it along with their witness.</p> <p>21 MR. AMIRI: But you already</p> <p>22 looked at -- in that document.</p> <p>23 MR. DYKES: I glanced at it to</p>	<p style="text-align: right;">Page 412</p> <p>1 Q. So the picture -- the email has</p> <p>2 a profile picture, which is a picture of</p> <p>3 that person. Is this right?</p> <p>4 A. I assume so.</p> <p>5 Q. Can you look at page 2?</p> <p>6 A. (Witness complies)</p> <p>7 Q. What is that profile picture?</p> <p>8 A. Is it a mask?</p> <p>9 Q. Which kind of mask it is?</p> <p>10 A. I don't know. I've never seen</p> <p>11 anything like it.</p> <p>12 Q. Does it threaten you?</p> <p>13 A. No.</p> <p>14 Q. Can you look at page 3?</p> <p>15 A. (Witness complies)</p> <p>16 Q. What is on the profile picture?</p> <p>17 A. The same image.</p> <p>18 Q. What is this email</p> <p>19 communication about?</p> <p>20 A. About the meeting.</p> <p>21 Q. What is that meeting for?</p> <p>22 A. This is the meeting that</p> <p>23 reviewed student status.</p>
<p style="text-align: right;">Page 411</p> <p>1 realize they were emails. I didn't see</p> <p>2 the picture because it is very small.</p> <p>3 So you asked her about the picture; I</p> <p>4 wanted to look at the picture. I have</p> <p>5 the right to do that.</p> <p>6 MR. AMIRI: Do you think when</p> <p>7 you are looking at the document or</p> <p>8 interacting with the witness, it is</p> <p>9 giving some suggestive?</p> <p>10 MR. DYKES: You just asked her</p> <p>11 a question about the picture. I did not</p> <p>12 notice the picture. I didn't say</p> <p>13 anything to her about who it was, what</p> <p>14 it was. I just wanted to see what the</p> <p>15 picture was.</p> <p>16 MR. AMIRI: Okay. May I</p> <p>17 continue --</p> <p>18 MR. DYKES: I -- yes.</p> <p>19 MR. AMIRI: -- please?</p> <p>20 BY MR. AMIRI:</p> <p>21 Q. So that picture is a profile</p> <p>22 picture. Is this correct?</p> <p>23 A. I assume so.</p>	<p style="text-align: right;">Page 413</p> <p>1 Q. And offered my dismissal. Is</p> <p>2 this correct?</p> <p>3 A. Ultimately, yes.</p> <p>4 Q. Not ultimately; in the same</p> <p>5 day. Do you see --</p> <p>6 A. What is the question? Is the</p> <p>7 meeting about your dismissal?</p> <p>8 Q. Yes.</p> <p>9 A. The meeting was about reviewing</p> <p>10 your status.</p> <p>11 Q. These people gave a</p> <p>12 recommendation for my dismissal.</p> <p>13 A. That is correct.</p> <p>14 Q. And the profile picture is a</p> <p>15 mask.</p> <p>16 A. Yes.</p> <p>17 Q. Does it concern you?</p> <p>18 A. No.</p> <p>19 Q. Does it threat you?</p> <p>20 A. No.</p> <p>21 Q. Do you have any statement why</p> <p>22 there should be a mask on that --</p> <p>23 A. No.</p>

Page 414

1 Q. -- email?
 2 A. No, I think you're --
 3 Q. Do you think it is related in
 4 any way to the Grim Reaper image that I
 5 show you previously?
 6 A. No. I don't have any evidence
 7 to think that.
 8 (PLAINTIFF'S EXHIBIT NO. 23
 9 MARKED)
 10 MR. AMIRI: I introduce Exhibit
 11 Number 23.
 12 THE WITNESS: (Tenders
 13 document)
 14 MR. DYKES: (Reviews document)
 15 MR. AMIRI: Mr. Counsel, did
 16 you review the document correct- --
 17 completely?
 18 MR. DYKES: I reviewed that
 19 document, just like I've reviewed every
 20 other document you have given her today.
 21 MR. AMIRI: After I ask a
 22 question, will you come back and review
 23 the document again, or it is final

Page 415

1 review?
 2 MR. DYKES: If I think I need
 3 to review it again, I'm going to review
 4 it again. You didn't give me a copy of
 5 it, so, if I think I need to review it
 6 to determine whether or not to make an
 7 objection, or I need to know something,
 8 I'm going to look at it again.
 9 MR. AMIRI: But we
 10 speculated [sic] that at the -- you
 11 can object anytime in the future. You
 12 don't need to object here. You have the
 13 right to object to anything in this --
 14 THE WITNESS: Can we just go on
 15 with the questions? I want to get done.
 16 MR. AMIRI: Okay. We -- we
 17 both want that, but I want to do it
 18 correctly.
 19 MR. DYKES: Well --
 20 MR. AMIRI: I don't want --
 21 MR. DYKES: -- if we do it
 22 correctly, I have the right to look at
 23 the document --

Page 416

1 MR. AMIRI: Yes --
 2 MR. DYKES: -- so.
 3 MR. AMIRI: -- you looked at
 4 that. And after questions --
 5 MR. DYKES: And I can look at
 6 it again.
 7 MR. AMIRI: Yes. Could you
 8 please not to look at the document after
 9 question. Let her answer the question,
 10 and then you can look at that.
 11 MR. DYKES: I'm going to -- I
 12 will -- if I need to look at the
 13 document again, I'm going to look at the
 14 document again.
 15 MR. AMIRI: Even after I ask
 16 the question and the witness does not
 17 answer?
 18 MR. DYKES: I'm going to try
 19 not to inter- -- I will not interrupt
 20 her if she's looking at the document to
 21 answer a question, but, if I need to
 22 look at it again, I'll look at it again.
 23 MR. AMIRI: I'm afraid that it

Page 417

1 is a suggestive move, because, when you
 2 are looking at that, you are suggest- --
 3 MR. DYKES: How in the world is
 4 my looking at a document suggestive in
 5 any way? All you -- I -- I want you to
 6 ask her a question. She wants you to
 7 ask your question, so we can move
 8 forward.
 9 MR. AMIRI: Okay.
 10 BY MR. AMIRI:
 11 Q. Could you please look at the
 12 first page.
 13 A. Yes.
 14 Q. This is an email that you
 15 received from Cathy on 2018, February
 16 2018, to be exact, February 12, 2018.
 17 Can you read this email, please?
 18 A. This one? (Indicating)
 19 Q. Yes.
 20 A. "I am waiting on the department
 21 chair, Dr. LeClair, to call me back."
 22 Q. Can you please, the other email
 23 as well?

<p style="text-align: right;">Page 418</p> <p>1 A. "We definitely do not want to 2 send a new one to the student, as this 3 is likely to go to litigation. We will 4 just leave it as it is and produce the 5 corrected letter if asked. I have 6 already sent in the current version to 7 our legal counsel. It may not make any 8 difference; we do know that the student 9 was notified of his suspension, and that 10 is the primary thing." 11 Q. And this is the email that you 12 wrote? 13 A. Yes. 14 Q. And you are telling that, "This 15 is likely to go to litigation." You 16 have information that I'm going to file 17 a lawsuit -- 18 A. (Nods affirmatively) 19 Q. -- on February 12, 2018. Could 20 we please take a look at -- 21 A. I don't know -- 22 Q. -- the next page. 23 A. -- if I had information --</p>	<p style="text-align: right;">Page 420</p> <p>1 student." 2 Q. Yes. Can you please read the 3 date of this? 4 A. "Spring 2018, November 23rd, 5 2017, 10:42 p.m." 6 Q. Can you please take a look at 7 the next page? 8 A. (Witness complies) 9 Q. This is the "University 10 Registrar, March 2018." Could you 11 please read this? 12 A. All of it? "Registration 13 Status. You have no registration time 14 ticket. You may register at any time. 15 Advising status: Advising requirement 16 cleared. You require readmission prior 17 to registration. You have holds which 18 will prevent registration. Your 19 academic standing is good standing which 20 permits registration. Your student 21 status permits registration. Your class 22 for registration purposes is graduate 23 student."</p>
<p style="text-align: right;">Page 419</p> <p>1 MR. DYKES: I object -- 2 A. -- that you were going to 3 file -- 4 MR. DYKES: -- to the 5 statement. 6 A. -- a lawsuit. 7 MR. DYKES: There wasn't a 8 question there, but. 9 BY MR. AMIRI: 10 Q. Can you go -- can you take a 11 look at the second page. 12 A. (Witness complies) 13 Q. This is a "University 14 Registrar, November 2017." Can you read 15 from this part? (Indicating) 16 A. Okay. "Advising status: You 17 must see your advisor prior to 18 registration. You have holds which will 19 prevent registration. Your academic 20 standing is good standing which permits 21 registration. Your student status 22 permits registration. Your class for 23 registration purposes is graduate</p>	<p style="text-align: right;">Page 421</p> <p>1 Q. And what is the time for that? 2 A. What is the time? 3 Q. Yes. 4 A. March 13th, 2018, 12:30 a.m. 5 Q. So this is one month after you 6 s- -- you send that letter in first 7 page, that this case is going to go to 8 litigation, because that email that you 9 wrote in first page, you read that. 10 A. Um-hum. 11 Q. It was on February 12. 12 A. Um-hum. 13 Q. And the "University Registrar" 14 in March 13, 2018, shows that you 15 require readmission prior to re- -- 16 registration. But the page 2 shows that 17 I don't need readmission. I need 18 permission from -- "You must see your 19 advisor prior to registration." You 20 have holds which will prevent 21 registration." So, in November 13 22 [sic], 2017, I was not dismissed. You 23 dismissed me after you know that I filed</p>

<p style="text-align: right;">Page 422</p> <p>1 the lawsuit.</p> <p>2 A. No, that's not accurate.</p> <p>3 Q. It is the "University</p> <p>4 Registrar." You have the document in</p> <p>5 front --</p> <p>6 A. It --</p> <p>7 Q. -- of you.</p> <p>8 A. Yes, it is. It's your</p> <p>9 interpretation. The -- the key sentence</p> <p>10 in all of this, for me, is, "You have</p> <p>11 holds which will prevent registration."</p> <p>12 And that is a direct echo of the letter</p> <p>13 that you were sent on June --</p> <p>14 Q. We are not talking about</p> <p>15 letter.</p> <p>16 A. -- 29th that said, "We're</p> <p>17 putting a hold on your fi-" -- "on your</p> <p>18 record." That's what the letter said:</p> <p>19 "We are hol-" -- "putting a hold." And</p> <p>20 so what you see there is that there's a</p> <p>21 hold. Why the sentence about</p> <p>22 readmission came up, I don't know. We'd</p> <p>23 have to ask the registrar that</p>	<p style="text-align: right;">Page 424</p> <p>1 A. So we would have to ask the</p> <p>2 registrar why that sentence didn't</p> <p>3 appear earlier, why it appears there.</p> <p>4 But I don't believe that any action was</p> <p>5 taken at that point at all --</p> <p>6 Q. Do you --</p> <p>7 A. -- so.</p> <p>8 Q. -- confirm that the holds that</p> <p>9 will prevent registration are correct?</p> <p>10 A. Yes.</p> <p>11 Q. Do you confirm that I must see</p> <p>12 my advisor prior to registration?</p> <p>13 A. That sentence is not one I'm</p> <p>14 familiar with.</p> <p>15 Q. Okay.</p> <p>16 A. But what your --</p> <p>17 Q. Do --</p> <p>18 A. -- letter of dismissal said is,</p> <p>19 "You will not be permitted to register</p> <p>20 for fall 2017 or any future semester,</p> <p>21 unless you have first been re-admitted</p> <p>22 to the Graduate School in a different</p> <p>23 program."</p>
<p style="text-align: right;">Page 423</p> <p>1 question --</p> <p>2 Q. But if --</p> <p>3 A. -- and get back to you.</p> <p>4 Q. Why in November 23rd, 2017,</p> <p>5 which is long after June, the only</p> <p>6 problem is I need to see my advisor?</p> <p>7 A. No, the problem is you have</p> <p>8 holds.</p> <p>9 Q. And I have holds.</p> <p>10 A. The holds --</p> <p>11 Q. But I don't need to --</p> <p>12 A. -- are the key point.</p> <p>13 Q. -- re-admit. I don't need</p> <p>14 re-admission.</p> <p>15 A. I don't know what that sentence</p> <p>16 means. We'd have to ask the registrar.</p> <p>17 Q. Good --</p> <p>18 A. I don't know what it means.</p> <p>19 These are --</p> <p>20 Q. But --</p> <p>21 A. -- computer-generated screens</p> <p>22 that I'm not familiar with.</p> <p>23 Q. But the hol- --</p>	<p style="text-align: right;">Page 425</p> <p>1 Q. That is another s- -- document.</p> <p>2 This document that we are talking --</p> <p>3 A. Um-hum.</p> <p>4 Q. -- in March 2018 --</p> <p>5 A. Right.</p> <p>6 Q. -- it shows that I need to be</p> <p>7 re-admitted.</p> <p>8 A. So what is your question? "Why</p> <p>9 does it say that?"</p> <p>10 Q. Yes. Why --</p> <p>11 A. I don't know. The only thing I</p> <p>12 know about is the sentence that says you</p> <p>13 have holds. That -- all the rest of it,</p> <p>14 I don't know.</p> <p>15 Q. So there is a change from</p> <p>16 November to March. What is the cause of</p> <p>17 that change?</p> <p>18 A. I do not know.</p> <p>19 Q. It is the litigation.</p> <p>20 MR. DYKES: Object to the</p> <p>21 form -- or object to the statement.</p> <p>22 MR. AMIRI: Okay.</p> <p>23 THE WITNESS: But --</p>

Page 426

1 MR. AMIRI: I think we are --

2 THE WITNESS: -- the letter of
3 June 29th said that you needed to be
4 re-admitted.

5 MR. AMIRI: I think we are out
6 of time. The reporter told me that we
7 are out of time, so we have to go off
8 the record.

9 MR. DYKES: Okay.

10 VIDEOGRAPHER: We are going off
11 the record at 4:40.

12
13 (DEPOSITION CONCLUDED AT 4:40 P.M.)

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Page 427

1 CERTIFICATE

2 STATE OF ALABAMA

3 COUNTY OF WALKER

4 I, Suzanne Lee, Certified Court
Reporter and Notary Public in and for
5 the State of Alabama, hereby certify
that the foregoing pages, and including
6 this page, contain a true and correct
transcript of the testimony of the
7 witness, as taken by me at the time and
place heretofore stated, and later
8 reduced to typewritten form by
computer-aided transcription under my
9 supervision and to the best of my skill
and ability.

10

11 I further certify that I placed the
witness under oath to truthfully answer
the questions in this matter under the
12 power vested in me by the State of
Alabama.

13

14 I further certify that I am not in
the employ of or related to any counsel
or party in this matter, and have no
15 interest, monetary or otherwise, in the
final outcome of the proceedings.


16

17 Witness my signature and seal this
the 5th day of March 2019.

18

19

20


Suzanne Lee, Reporter

21 ACCR No.: 476 Expires: 09/30/19
22 Notary Public, State of Alabama at Large
My commission expires January 3, 2021

23

108 (Pages 426 - 427)

[& - 27]

Page 428

&	12:10 198:20	2005 1:13	2018 251:4,8,9
& 1:22 4:16	12:14 202:13	2013 115:16	266:14,18 417:15
0	12:30 421:4	2015 92:14 93:8	417:16,16 418:19
000899 7:2	13 5:22 12:11	94:14 101:17	420:4,10 421:4,14
00425 1:5	120:23 262:18	115:18 116:6	425:4
01/17/19 7:5	263:3 280:8,11	127:13 134:7 215:1	2019 1:14 9:3 407:8
02/12/18 7:14	421:14,21	216:17 392:4	427:17
04/27/17 7:10	1315 2:4	2016 92:14 93:8	2021 427:22
05/23/17 4:21	13th 421:4	99:6 104:4 106:19	206 5:4
06/23/17 5:1,13 6:8	14 6:2 36:12 297:20	107:7 108:1,8	20th 251:2 260:2
6:15	297:21	109:18,21 110:6	21 7:3 406:22 407:2
06/26/17 6:23	15 6:6 33:11 192:2	111:18 127:19	22 7:6 35:18 408:9
06/27/17 5:4 6:5	205:23 230:4 250:1	186:6 188:3,10	408:12
06/28/17 5:21	315:8,10 352:2	215:6 217:17,19	222 2:8
06/29/17 4:8 6:12	16 6:9 94:14 325:20	221:11 266:13	223 5:9
06/30/17 6:1,19	325:23	289:10,23 319:4	23 7:11 34:12
07/03/17 5:9	160 4:21	404:5,8	323:14 414:8,11
07/20/17 5:17	17 6:13 35:17 317:2	2017 15:13 28:2	23rd 162:15 173:3
09/30/19 427:21	338:15,16	65:18 107:7,18,19	246:14 248:19
1	172 5:1	108:4,5 142:20	306:8,15 307:11,15
1 3:3 4:4 9:4 12:6,7	17th 261:13 407:8	152:5 162:15 173:3	308:2,3 309:2,7,11
305:13 306:1 342:5	18 6:16 341:6,9	179:11 186:13	309:15 310:15,22
373:20	352:16	188:6,15 189:15	338:22 370:13
10 5:10 21:20 57:21	18-00425 9:8	207:7 217:20	371:21 373:15,19
246:7,10 355:18	18497 427:20	221:12 223:7	381:6 420:4 423:4
100 120:5	19 1:14 6:20 253:13	246:14 248:19	24 116:4,7 118:16
10:10 78:4	382:11,15,17,21	251:7,9,12 260:12	127:11 133:21
10:22 78:8	19th 9:3	260:13 261:16	148:8 245:16
10:42 420:5	1:09 202:16	268:14,22 289:23	246 5:13
11 3:10 5:14 258:8	1:14 326:7	290:5 295:13 298:3	24th 161:14 162:17
258:9	1st 266:13 354:11	312:16 313:23	258 5:17
11342916 371:3	355:21 379:17,18	315:16 316:6 319:4	26 15:13 17:3 28:20
11:31 160:18	2	323:14 326:6	163:7 205:3 277:18
11:37 160:22	2 3:4 4:5 12:14,18	338:22 352:19	277:22 278:5,17
12 4:4,8 5:18 268:3	15:10 43:8 78:7	370:13 383:13	281:15 346:18
268:4,10 277:8	142:13,15 274:7	400:12 402:17	347:14
417:16 418:19	412:5 421:16	404:6 407:11	268 5:21
421:11	20 4:11 7:1 147:15	408:17 409:5	26th 34:23 35:22
120 4:17	386:12,13,17	419:14 420:5	36:15 276:5
	200 33:4	421:22 423:4	27 142:20 146:7
		424:20	147:16 163:22

[27 - access]

Page 429

207:6 298:3 27th 408:17 28 28:2 146:9 162:20,21 266:13 268:14 269:19 277:10 278:16 279:8 280 6:1 28th 276:3 277:14 29 272:6 274:8 275:10 281:9 314:11 326:6 352:18 379:3,15 297 6:5 29th 43:10 274:17 274:18 275:2 276:9 277:15 306:19 309:23 310:1 422:16 426:3 2:08 326:20 2:18 280:3 2:30 383:2,22 2:31 280:7 2nd 1:13	341:17 365:4 373:18 300 185:9 30th 274:19 304:11 306:22 309:9 315 6:8 32 4:13 3227636 1:23 325 6:12 338 6:15 341 6:19 35401 2:4 35487 2:9 38,000 180:20 382 6:23 386 7:2 3:00 383:23 3:30 339:7 3:36 352:9 3:43 352:13 3rd 223:7	5 5 2:4 4:14 120:12 120:15 133:13 318:5,20 352:12 5/26 268:18 273:23 275:17 276:5 50 245:11,11 307:15 56 15:11 58 34:16,18 5:44 352:19 5th 427:17	223:1 9:08 1:15 9:2 a a&s 176:12 a.m. 1:15 9:2 280:16 421:4 ab 406:3 ability 427:9 able 202:2 287:18 298:14 306:6 319:7 333:20 absence 218:17 absent 399:3 absolutely 238:13 385:9 academic 26:5,8 33:22 35:1 50:4 55:1,2 75:2 94:9,10 98:13 101:22 102:16 133:7 140:1 171:22 172:4 176:15 179:2 225:14 239:5 249:7 374:15 375:2,7,15 376:14,16 377:22 377:23 390:22 396:21 397:1,22 398:4,18,22 419:19 420:19 accept 30:8 39:2 52:22 164:13 321:20 348:13 375:18 380:2 acceptable 169:5 218:6 250:8 accepting 37:18 216:12 219:21 252:14 access 159:21 203:12 204:5,8,17 205:8,22 206:3,4
3	4 4 3:6 4:12 31:21 32:1 35:20 133:11 133:13 165:3 280:6 371:9 4.0 243:13 4.0. 243:15 4/26/2017 370:18 373:9 40,000 214:2 406 7:5 408 7:10 414 7:14 427 3:12 476 1:21 427:21 4:30 147:16,17 4:34 142:20 4:40 426:11,13 4:45 406:20	6 6 4:18 133:9,9 160:23 161:3 6/1 326:10 6/26/2017 383:22 383:23 6/29 274:5 6/30 272:11,15 274:12 6/30/2017 272:21 6:26 370:15	7 7 4:22 172:15,18 202:19 77 35:14 78 36:11 7:18 1:5 7th 315:16 316:5
3 3 3:5 4:9 20:16,17 48:23 49:1 57:22 78:15 131:21 142:11,11,17 146:13 160:21 165:3 276:2 316:20 316:22 318:5 355:18 412:14 427:22 3.0 243:12 3.0. 243:13 30 184:9 245:12,16 278:5 279:13,17 280:15 281:7,15 282:5 286:14 307:12 310:5	4 4 3:6 4:12 31:21 32:1 35:20 133:11 133:13 165:3 280:6 371:9 4.0 243:13 4.0. 243:15 4/26/2017 370:18 373:9 40,000 214:2 406 7:5 408 7:10 414 7:14 427 3:12 476 1:21 427:21 4:30 147:16,17 4:34 142:20 4:40 426:11,13 4:45 406:20	8 8 3:7 5:2 21:14,19 28:19 35:20 131:21 132:2 206:8,9 276:3 870106 2:9	8 8 3:7 5:2 21:14,19 28:19 35:20 131:21 132:2 206:8,9 276:3 870106 2:9
	9 9 5:5 23:20 48:23 131:21 222:23	9 9 5:5 23:20 48:23 131:21 222:23	

[access - agrees]

Page 430

224:14 230:3,5 242:20 246:19 249:3 250:1,6 278:20 284:11 308:20 334:11 381:15 account 245:18 308:17 accr 1:21 427:21 accurate 422:2 accurately 52:7 accusation 101:23 102:17 104:6 105:14 371:23 accusations 103:7 176:18 177:11 181:11 330:10 accuse 83:4 84:2 accused 59:1,17 60:4 61:12 82:6 162:8 326:23 achieved 202:2 act 47:18 96:2 97:20 166:8,16 222:5 371:8 acted 47:17,21 48:13 136:1 166:17 218:22 247:18 248:4 284:13 289:4 acting 41:3 52:8 53:17 156:13 165:20 205:13,14 270:20 284:13 action 24:8 80:4 85:21 94:3 96:3,9 171:11 173:17 179:23 181:6 188:7 205:14 237:4 279:21 294:12 302:11 306:8 308:14 309:3	333:11 334:11 335:6 336:14 353:14 355:3 357:22 358:16 372:6 379:13 389:3 395:2,8,13,14,17 401:14 402:19 405:1 424:4 actions 13:14 80:2 99:21 357:6,20 active 167:10 acts 14:7 ad 219:20 add 74:17 245:17 addition 116:5 148:16 205:12 210:23 211:17 215:14 218:9 352:23 additional 15:18 16:6 162:1,4 374:22 address 81:17 129:4 183:4 334:17 addressed 97:22 377:15,18 adequate 17:5 179:8 293:21 adjudicate 156:19 181:1 294:4 adjudicating 337:4 adjustments 124:4 administration 2:8 admissible 197:21 198:6 219:20 238:17,20 239:9 admission 14:12 18:11,22 423:14 admissions 223:8 223:11 224:3,19	admit 423:13 admitted 17:21 18:12,14 228:4 424:21 425:7 426:4 adopt 28:12 69:19 71:16 adopted 29:2 adopting 26:23 65:19 66:4 adult 180:4 advantage 225:19 advice 265:19 266:3 267:11 320:18 advise 194:1,6 374:21 advised 177:10 327:16 advising 26:6 49:4 49:6,19,22 50:8 52:12 53:4 56:20 132:5,22 141:21 142:21 144:8 419:16 420:15,15 advisor 55:22 56:1 57:14,17 109:1 110:20,20 111:2 120:22 121:4 122:5 122:6,8,10,13,18 122:20 123:7,13,21 124:3,13 250:12 317:7,10,21 319:13 320:9,11,13,15 321:3 419:17 421:19 423:6 424:12 advisor's 122:9,22 advisors 26:4 54:23 55:12,16 56:6 121:15,21 157:12 195:18 196:11	207:16 210:14 213:18 320:23 advisory 268:19 354:15 af 175:14 affairs 98:13 370:22 affect 11:23,23 243:4,6,7,8 244:20 244:22 245:2,3,7 246:5,6 327:20 328:5 329:1 affirm 10:7 affirmatively 20:8 47:4 85:22 111:5 173:4 235:20 250:10 261:14 272:7 279:2 280:17 286:18 308:9 315:6 316:1 353:22 354:3 356:3 384:4 418:18 afraid 416:23 afri 175:18 african 175:15,18 aft 278:4 afternoon 147:15 277:19 278:5 282:5 ago 17:17 235:14 236:1 agree 29:9,10 57:8 57:10 117:11,23 153:18 154:4 157:8 287:13,18 293:5 321:2,12,13 363:17 agreed 8:3 135:12 135:14 151:4 agreeing 118:4 agreement 55:19 56:4 320:8 agrees 55:12
---	--	---	---

[ah - amiri]

Page 431

ah 121:13 313:1 341:15 382:8 ahead 25:7 51:11 71:22 72:11 84:8 84:12 97:8,9 158:9 194:18 207:10 276:20 366:23 409:7 aided 427:8 aimed 391:10 393:15 al 5:8 6:7 7:9 alabama 1:1,7,14 2:4,8,9 4:17 9:7,10 11:10,17 76:18 77:1,3 139:9 193:23 239:1,4,12 260:19 276:8 288:19 395:1,5 401:15 402:18 407:19 410:14 427:2,5,12,22 alarmed 329:11 alcohol 11:22 ali 1:3 2:3 4:7,20 6:6 9:5,21 25:23 45:19 207:18 215:2 268:16 272:17 273:21 280:22 298:9 300:22 307:21 313:3 326:10 339:8 351:10 354:11 383:2,20 ali's 208:2 aligned 90:17 132:15 alignment 159:19 allegation 82:21 97:20 104:9 163:10 164:3 170:12 171:3	196:10 allegations 81:22 161:14,17 196:18 allow 185:17 342:21 allowed 163:13 304:16 ama 312:14,17 313:2,5,22 341:19 341:23 342:2,7 344:20 352:21 371:2 374:18 378:10 381:9 ama's 371:6 374:11 ambiguity 282:16 284:4 298:21 ambiguous 85:6,8 144:2,3 285:21 298:23 299:1,8,10 300:12 ambiguously 300:14,16 american 175:15 175:18,18 amir 45:17 amiri 1:3 2:3 3:10 4:7,20 6:7 9:6,21 9:22 10:19 11:2 12:5,9,16 13:5 14:15 20:15 21:3,7 21:11,21 22:11 25:10 26:1 29:14 30:3 32:8,11,16,19 32:23 33:2,6,8 34:9 34:11,16,20 35:3 35:12 36:5 37:2,4,9 37:11,16 38:10 39:6,10,14,18,22 40:1 41:20,22 52:2 54:5,14 56:22 58:17 59:10 60:1	63:9,12,19 64:4,5 64:11 65:6 66:6,21 67:3 72:10 76:5,8 76:11 78:1,9 81:6 81:10,14 82:3,9,12 82:20 83:1,5,9,11 83:14,17 84:5,9,13 84:15,20 87:1 89:22 91:3,6 95:2 97:4,6 105:1 106:23 107:4,8,12 109:13 120:8,14 121:1 123:18 125:20,23 126:14 126:15 128:13 129:2,11,14,23 130:3,6 131:8,11 132:1 133:14 134:20 137:4,5 138:21 142:1 143:17 145:14,19 146:1 147:11 148:6 148:15 149:19 152:2,20 153:21 154:17,20,23 155:3 155:10,19 158:8,18 160:2,4,16 161:2,8 161:11 163:18 167:1,9,20 168:5,8 168:14 169:6,22 170:10,18 171:6 172:13,17 173:1 175:1,23 176:2,5,8 176:13 179:14 180:17 181:18 183:6,17 184:12,17 187:1,13,22 191:12 191:15,20 192:14 193:21 194:12,16 194:21 195:1 196:1 196:21 198:21	199:1,5,6 202:9,17 205:6 206:7,17 209:1 213:2 216:8 217:18 219:13 220:1,2,12,17,19 222:22 223:5 227:21 233:2,5 238:15 239:18 240:2,8,11,16,19 240:23 241:9,18,22 246:9,12 249:1 250:22 255:10 256:5 257:20 258:3 258:7,12 262:7 263:2,5,22 264:7 264:10,15 265:10 265:13,17,23 266:5 266:11,17 267:1 268:2,9,16 272:18 273:22 274:20 276:22 277:2 278:22 279:23 280:10,13,22 282:3 286:11 287:8,12,20 288:9,18 290:20 291:2,8,14,17 292:6 296:12 297:19 298:1 304:4 310:2 311:20 312:4 312:7 313:3,12 315:7,12 316:17 318:2 322:7,21 324:15,20 325:1,4 325:22 326:2,10 328:3,16,20 329:19 330:20 332:3,8,17 332:23 333:2,13 334:1 335:8 336:20 337:12 338:14,19 339:1,2 341:8,11 346:9 348:21 351:1
---	---	--	---

[amiri - arguing]

Page 432

351:10 352:6,14 354:11 358:19 360:13,19 361:1,10 361:14,17 362:17 362:19 363:11,16 364:3 365:8,15,21 366:1,12,21 367:1 367:2 371:18 372:8 375:13 378:18,20 378:23 379:1 380:1 382:17,20 383:2,15 383:18,20 385:5,22 386:11,16 392:12 393:4,6 394:7,22 395:11 399:1,11,15 400:4,5,11,17 401:1,8 402:9,13 402:15 406:8,12,14 407:1,12,16,23 408:11,19,21 409:8 409:16,23 410:1,11 410:21 411:6,16,19 411:20 414:10,15 414:21 415:9,16,20 416:1,3,7,15,23 417:9,10 419:9 425:22 426:1,5 amiri's 45:18,19 192:21 193:6 298:9 300:22 307:21 339:8 amount 293:13 368:13 analysis 166:5 analyst 396:17 ano 322:13 answer 14:5,6 22:8 25:6,7 33:10 35:4 36:12 37:3 54:11 56:18 76:19 83:21 97:5 101:4,5	102:11 111:15 125:4,8 126:13,21 126:23 129:12 131:9 138:9,12 140:7,8 142:9 153:12,13,14 155:13 158:12,16 159:11 168:12,13 172:7,11 181:13,22 192:4 194:13,19,23 195:2 197:20 200:5 227:16 233:14 240:3 241:14 242:3 246:4 253:10 258:4 259:10,19,21,22 262:14,16 264:12 288:21 311:16 312:2,5 323:10 326:19 329:6 335:3 337:20 343:17 345:20,21 347:12 353:16 364:17 366:13 373:15 377:16 382:4 399:5 407:21 408:2 416:9 416:17,21 427:11 answered 36:2 45:13 172:11 191:17 261:3 262:11,12 264:8,18 264:22 311:12,21 311:23 312:2 346:6 355:12 answering 33:14 91:1 136:15 209:4 262:13 264:17 344:2 381:12 answers 8:15 12:4 37:8 187:4 361:22 anybody 193:14,17 193:22 195:12,18	316:10 395:18 anymore 194:2 195:16,19 250:21 anytime 415:11 anyway 16:23 228:22 apart 221:23 apartment 2:4 278:9 285:13 286:21 315:5 333:22 334:6 346:19 347:14 348:18,19 382:1 apologize 364:18 365:13,21 366:6 apologizing 365:10 apparent 301:6 appealed 78:23 79:5 94:3 104:14 218:9 appear 424:3 appearances 3:4 appears 424:3 applicable 129:19 applicant 174:22 175:4,22,23 176:1 176:2 180:4 applicants 224:4 application 214:13 214:13 224:6 225:7 applications 226:21 applied 224:7 226:13,17 applies 76:13 224:20,21 apply 76:16 224:3 224:4 225:16 226:1 226:11 227:6,7 229:15,20 230:7,13 234:20	applying 124:17 176:4 226:20 appointment 6:21 350:15 approach 319:11 approaching 207:14 appropriate 53:23 92:1,3 169:17 170:2,23 176:15 179:2,13,17,20 188:11 362:23 374:21 401:16 appropriately 270:20 approve 119:8 120:6 121:12,17,22 121:23 approved 121:7,11 approves 119:6 approximately 1:15 april 28:2 142:20 146:7,9 147:16 152:5 161:13 162:17,20,21 268:20 276:3 315:16 316:5 408:17 409:4,5 araujo 7:8 area 56:15 60:14 61:10 62:20 63:4 74:22 81:1 134:14 237:3,9,10 246:1 254:18 256:11 304:6 334:20 335:5 401:12 areas 125:18 argued 236:3 arguing 232:23 324:13
---	---	---	---

[argument - august]

Page 433

argument 363:4 378:19 armed 277:23 278:6 aroused 58:22 arranged 147:14 arrive 72:1 arrived 56:21 art 79:1 92:10 94:4 96:18 151:11 178:7 179:7 186:10 404:1 article 7:3 407:8 artist 92:15 388:23 arts 178:9 artwork 92:13 93:4 354:21 379:9 388:21 artworks 92:11,15 93:1,3,11,13 388:22 arun 161:19 162:8 204:23 arunava 70:7 206:2 ascertain 197:14 asked 40:20 41:6,8 45:15,16 46:13 47:1 61:7 71:23 72:4 91:4 106:6 129:15 160:14 163:16 170:12 191:16,21 195:8,22 196:3 197:3,11,13 199:3 209:7 211:21 211:22 216:20 253:14,18 256:17 257:4,23 258:23 259:2,6,12,17 295:5 303:15,16 319:16 321:8 336:19 338:3 344:14 355:10	362:4,7 376:1,2 392:16 395:19 409:1 411:3,10 418:5 asking 32:17 102:9 113:4 125:13,19 126:10,16,17,21 130:4 136:21 137:13 141:8,10 142:8 143:15 150:6 154:13,23 155:6,12 155:14 156:2 162:9 164:22 165:14,15 166:4 167:4 194:7 194:9 196:2 197:4 204:5 209:18 217:9 217:10 219:1 233:2 235:22,23 237:1 241:12 247:11 249:8 259:9 260:21 265:19 272:1 275:5 284:10 292:3,16 297:6 301:13 303:4 313:19,21 314:2 323:23 327:23 332:15,20 335:12 361:4 364:3 379:22 395:9 397:19 398:10 399:4,9 410:15 asks 72:19 129:6 aspect 162:12,12 assaultive 371:7 assess 50:3 74:3 86:13 90:4 142:5 164:23 177:10 284:19 335:12,15 assessed 77:15 138:18 209:19 212:20	assesses 86:2 assessing 173:15 334:10 assessment 123:23 162:5 173:8 207:13 209:13 214:19 298:7 338:12 339:6 340:10 370:19 371:4 373:9 assign 195:10 assignment 242:11 associate 11:11 176:22 208:8 211:3 215:17 233:19 253:19 404:3,9,13 404:16 assume 72:6 91:17 138:14 144:6,12 145:1,9 165:21 166:2,17 167:13 168:15,16,23 245:10 259:22 264:21 273:7 282:8 284:22 289:3 322:15,17,19 396:3 411:23 412:4 assumed 229:11 284:7,12 303:5 assuming 261:9 262:12 408:4 assumption 154:5 227:5,10 303:8 astronomer 71:2 astronomers 56:11 69:11 136:10 astronomy 4:16 26:13 70:21 141:14 374:17 381:8 attach 353:6 attached 92:9 186:15 260:22	268:20 281:1 298:6 313:13 316:4 326:10 353:5 354:10 388:18 attachment 48:12 61:18 222:20 attachments 293:18 368:7,9,23 369:6 attack 279:16 332:6 382:1 attacked 278:7 346:19 attacking 83:11 attained 169:4 attempt 73:10 74:2 attend 347:22 349:3 attended 211:6 attendees 384:2 attending 229:23 339:5 attention 85:9 187:8,8 219:22 349:23 attorney 37:19 265:14,16 266:9 410:18,19 attorneys 8:5 10:14 audio 404:7 audiotape 295:15 296:13,21 297:3 315:16 316:4,6,10 317:8 323:17,18 403:23 audiotapes 191:14 369:19 august 261:15 272:6,10 306:8,15 307:8,11,15 308:2 308:3 309:2,7,9,11
--	---	---	--

[august - building]

Page 434

309:15 310:15,22 auth 287:17 author 98:4 231:20 231:22 authorities 94:21 297:1 360:7,8,10 389:23 authority 96:13,16 178:20 290:4 authorized 53:2 automatically 228:5 available 132:12 371:5 avenue 221:2 avenues 289:10 average 243:17 245:9 award 236:21 aware 60:9 90:20 229:8 284:3,4,23 345:7 350:3 awareness 342:9 344:19 346:16	148:23 230:23 371:1 bad 85:2 285:22 345:19 346:12,17 346:20,21 balance 13:12 base 155:14 159:4 based 24:22 26:1 29:3 31:11 33:12 38:13,15,16 54:1 59:18 64:22 68:16 73:9,16,23 75:6 85:21 88:20 89:1 116:21 118:9 131:2 131:3 151:8 157:1 164:17 169:20 171:10,22 205:14 214:3 234:12 236:2 238:9,20 251:16 262:17 263:22 285:3 304:14 306:15 309:6 313:15 318:10 319:21 322:4 332:4 340:19 342:5 343:9 356:12 365:18 370:2,23 374:9 398:5,22 basic 159:8 basically 53:15 54:2 68:14 141:19 159:12 356:10 375:1 basis 152:10 165:23 183:23 286:10 406:13 becoming 291:9,19 beginning 1:15 4:6 4:19 5:6,11,15,19 6:3,10,17,21 7:1,7 7:12 58:9 177:20	295:6 begins 78:6 160:20 280:5 352:11 behavior 339:14 behavioral 339:5 340:9 371:3 374:11 believe 20:3 46:20 90:10 131:21 173:21 197:10,11 258:18,20 260:11 315:19 367:17 373:21 387:20 405:1 424:4 bell 253:14,18 303:17 belong 206:1,2 bending 210:12 319:8,9 best 125:8 264:19 264:20 298:13 301:8 326:21 339:7 342:21 427:9 beth 5:20 234:1 268:16 273:21 better 47:9 72:18 79:10 82:1 139:22 140:1 212:5 269:14 302:23 330:1 345:23 378:3 beyond 98:12 238:7 big 226:23 227:2 388:10,12 389:4 bigger 88:11 227:3 227:4 335:6 bit 182:17 254:23 286:21 287:1 319:21 339:6 bits 32:6,8 black 263:7,7	board 1:6 9:6 389:7 bottom 99:8 105:8 105:9 189:22 272:5 352:17 354:8 367:4 367:14 boulevard 1:13 bounds 136:2 box 2:9 brackets 30:23 brandon 2:12 9:11 brave 248:10,14 break 78:2,5 81:4 82:15 84:17 158:13 160:1,15,19 202:10 202:14 276:18 280:1,4 352:5,7,10 brevity 246:23 247:2 248:9,12 brief 143:2 144:21 146:4 248:11,11,12 briefed 147:17 148:20,21 342:6 344:17 briefly 246:17 briefs 37:13 bring 103:10,15 169:2,18 170:8 182:13 221:20 brings 73:5 broad 242:3 broader 377:16 399:3 broke 285:12 315:5 broken 192:13 brought 46:10 151:6 157:2,3 214:9 271:7 319:5 brown 2:12 9:11 bryan 259:12 building 1:12 2:8 251:14 279:1
b			
b 4:1 bachelor 50:13 back 78:7 81:7 84:4 96:10 160:21 170:2 202:15 203:18 213:17 221:5,18 231:15 252:2 253:3 253:7 259:23 273:18 280:6 303:5 344:11 352:12 373:22 374:1 383:12 404:22 408:4 414:22 417:21 423:3 background 11:4 138:8 145:2 146:23			

[building - charges]

Page 435

347:19 348:2 349:16,17,19 buildings 348:9 bullet 133:18 381:13,13,15 bulletin 386:19,19 386:19,21,23 389:6 391:3 393:8,13 398:11 bureaucracy 308:16 bureaucratic 19:16 144:15 busted 347:15 buy 217:12,13	card 205:17 cards 205:15 care 63:1 394:17 career 14:14 72:21 317:1,13 careful 60:18 286:3 carefully 84:19 85:9 161:15 255:2 carl 4:20 59:17 62:4 163:4 171:4 253:15 257:14 303:18 325:7 326:14,22 327:5,15 328:23 329:13 carries 88:9 carry 368:1 carrying 88:3 carvalho 1:11 3:9 4:7,23 5:3,7,12,16 5:21,23 6:12,14,18 6:23 7:14 9:5 10:3 10:21 11:7 124:14 145:21 256:6 312:12 366:9,18 367:5 370:14 384:2 397:19 405:10 410:2 case 1:5 9:7 25:23 44:21,23 54:16 59:9 77:8 101:11 106:12 124:15,16 126:17,22 129:20 142:2 154:12 155:20,21 159:13 171:17 175:11 208:2 220:6,7,10 234:5,8 238:8,14 242:15 244:9 320:12 323:2 324:3 324:4 326:13 360:23 369:7,8	392:9,9 421:7 cases 16:9 124:17 130:14 141:7 402:20 405:2 catalog 53:22 104:13 118:10 119:20 190:16 cathy 7:13 176:22 339:4,4,11 417:15 caught 85:9 cause 425:16 caused 289:11 cc 339:4 cell 338:23 center 70:7 151:17 152:8 199:23 200:2 253:16 254:21 256:23 257:4 303:22 315:22 355:7 386:20 389:7 393:13 central 18:7 197:17 197:19 224:1 centralized 13:13 177:21 certain 22:18 72:20 124:4 certainly 174:6 256:10 322:3 certificate 3:12 427:1 certified 1:22 8:8 427:4,20 certify 427:5,10,13 cetera 207:17 339:15 chain 61:18,21,22 67:11,14,20 68:1 99:2 149:9 271:1 293:17 296:21 347:20 353:15	369:5 chair 20:13 24:12 30:15 52:19 53:6 62:5 70:8 93:23 100:14,15 101:9,10 104:17 105:15 110:21 117:15,18 119:5,7 148:9 151:16 152:9 169:9 281:5 366:16 403:3 403:4 417:21 chair's 298:8 300:21 301:22 chairperson 110:23 111:2 chairs 153:17 chance 185:13 231:11 324:2,4 change 24:17 61:18 183:1,4 230:7 245:19 269:20 270:17 287:14 291:15 293:17 323:18 374:11 425:15,17 changed 65:12,15 70:14 changes 124:9 287:5 316:8 changing 73:7,15 90:23 269:11 271:4 channel 179:13,18 179:21 channels 176:16 179:3 char 342:4 charge 165:9,12 166:15 223:12 charged 165:13 charges 165:5
c			
c 2:1 cal 243:10 calculate 246:3 calculated 238:16 239:8 243:9,11,16 calculations 245:23 calendar 385:1 call 6:21 240:15 241:7,8 267:14 314:6 350:19 351:5 351:22 383:1,19,21 385:10 417:21 called 88:4 267:18 350:15 351:2,4,9 351:11,19 390:2 calling 168:20 calls 44:15 327:2 campus 86:2 334:16 347:19 373:17 candidate 259:14 capstone 269:7 271:4,20 car 145:20			

[charles - committee]

Page 436

charles 4:23 6:18 173:3,6 203:6 312:10 313:4,20 314:15 334:4,22 335:10 337:14 341:13 342:1 343:6 344:1 345:6 346:5 346:8,13,14 348:6 352:18,21 354:9 367:5 368:4,12 370:12 371:19 charlie 86:7 89:17 89:19,19 173:14 374:23 380:9,11 387:17 charter 5:23 6:4 234:2 235:15 271:19 272:6,15 274:11,12,19 276:11 280:15,20 281:12 282:11 283:23 298:21 304:10,19 308:8 309:7,9,18 342:4,6 342:18 343:3 344:16 345:2 350:5 351:6 charter's 281:22 344:7 check 53:12 checked 90:11 checking 53:12 chips 71:6 choice 294:15 choices 31:10 222:7 222:15 choose 14:9 29:19 29:20,22 312:19,23 380:23 chooses 31:10	chose 289:8,9 290:5 293:7 294:23 chronology 166:3 chumney 11:7 circumstances 112:21 183:3 claim 59:5 162:3 327:1 385:6 claiming 285:7 claims 59:7 161:22 238:14 clair 197:13 clarification 95:15 96:4 313:19 314:3 clarify 283:16 284:18 285:1 353:15 355:10 clarity 96:1 clash 402:20 class 419:22 420:21 classes 270:5 clause 26:9 30:17 55:2 clauses 31:2,8 clean 197:9 clear 54:17 69:4 93:16,19,21 110:14 121:19 132:14,19 283:4 286:16 289:13 298:14,19 298:20 299:4,6,16 299:18,19,20 300:11,13,17,18,19 302:1,8 313:14,18 313:18 328:14,18 347:1 349:9 351:13 351:17 359:4,5 381:19 cleared 420:16 clearer 22:15,20	clearly 62:2 71:9 71:18 286:14 client 265:14,16,21 266:9 clock 231:10 389:10 390:1 398:14 closed 166:7,18,19 167:7 closely 106:11 closer 181:6 closest 294:12 cloud 109:9 coach 82:12,16 coached 81:17 coaching 82:7 code 205:21 codified 90:9 collaborated 64:14 collaborating 64:19 collaboration 212:7 colleagues 26:4 54:23 college 96:19 98:12 105:16 176:12 178:7,9 179:7,16 186:10,10 401:21 403:5,6,9,13 collo 362:1 combination 318:22 combine 319:13 come 64:8 81:7 99:1 137:11,15 152:13 156:4 199:23 201:10 204:1 213:17 216:21 221:21 253:2 255:4 260:23	275:6 278:1 286:12 288:23 296:8,10 297:8,9,10 314:23 321:16 322:13 330:11,22 333:22 334:16,18 337:23 351:8,10 364:14,16 378:1 414:22 comes 30:22 281:17 comfort 289:7 comfortable 85:16 comfortably 74:23 coming 199:11 202:4 225:8 260:8 282:20 334:5 358:17 364:8,11 comment 201:13 comments 374:23 commission 427:22 committee 20:12 23:12,16 25:19 26:7 40:17,22 44:6 48:5 49:4,6,22 50:8 50:17,19,22,23,23 52:12 53:4 55:9 56:14,20 68:3,5,12 69:16,17 70:1 71:11,23 72:7,19 72:22 73:2 74:16 75:1,13 77:12 90:16 110:22 111:12 114:3,19,22 114:22,23 115:1,19 117:18 119:5,13 120:6 124:20 130:10 131:14,23 132:5,15,22 134:13 137:7,10 139:1,3 139:20 140:12,15 141:21 142:22 144:8 149:7 151:4
---	--	---	---

[committee - consider]

Page 437

157:15,17 158:16 158:22 159:1,3 163:16 165:6,8,12 166:12,13 168:23 169:2,12,18 170:8 170:12,17,23 171:2 188:7,18 197:2,14 203:10 207:16 213:21 218:21 220:22 222:2,17 234:12,14 236:7 247:17,21 276:3 293:1 353:4,5 354:16 356:7 376:20 committee's 23:15 29:12 73:14 132:16 232:6,10 268:20 298:7 committees 49:19 72:3,8 committing 371:7 common 153:15 154:7 commonplace 395:5,10 communicate 22:19 44:3 93:18 95:6 226:14 228:5 298:14 312:20 398:12 communicated 272:23 communicates 23:11 communicating 93:20 281:13 282:11 communication 23:14 48:1 57:15 179:19 218:5	256:22 260:14 261:2,12 273:3 281:4,23 353:16 398:13 412:19 communications 44:1 185:3 186:16 208:12 214:4 215:18 218:13 278:3 community 26:5 55:1 company 1:22 compared 212:1 compelling 327:9 complete 32:5 34:6 35:11 36:6 67:20 138:11 318:13 completed 133:21 completely 27:12 219:19 230:21 414:17 completing 133:19 134:1,8 136:18 complex 102:3 complexed 358:8 compliance 161:13 370:21 complicate 197:5 complicated 102:10 204:4 292:10 complies 10:5 35:16 57:23 233:17 273:20 412:6,15 419:12 420:8 component 133:19 134:2,9 136:18 composite 4:5,18 5:5,10,18 6:2,20 7:11	computer 70:18 71:5 383:9 384:19 384:21 385:3 423:21 427:8 con 229:12 379:12 concept 77:20 139:10 concern 85:3 88:16 92:19 180:8 206:5 355:6 372:13 388:8 389:2,8 413:17 concerned 72:5 81:1 82:4,5 85:10 88:22 172:4 173:12 176:13 178:17 226:3 279:5 281:22 387:19 concerning 85:5 314:10 concerns 171:21 182:5,22 353:12,20 concert 51:23 concise 390:20 concluded 426:13 conclusion 60:21 60:23 68:3,5 72:2 89:9 112:14 144:18 153:9 156:5,23 157:5 164:17 171:9 185:19 202:6 204:7 215:11 288:12 338:1 349:20 397:17 398:3,21 conclusions 88:20 98:3 124:6 condensed 70:2,16 71:3 115:21 condition 183:14 conduct 26:3 54:22 conducted 371:1	conducting 63:6 conference 1:13 conferences 211:6 230:1 confirm 53:8 259:1 259:3,13 282:4 424:8,11 confirming 178:22 280:22 confirms 178:6 conflating 347:5 conflict 59:20 90:1 336:4 confront 287:1 confrontation 402:22 403:1 404:21 405:12 confronting 285:23 confused 247:23 312:13 313:7,21 conjecturing 230:18 conjunction 48:3 connect 292:20 386:9 connected 278:13 connection 292:18 conor 7:8 354:18 379:6 consequence 85:20 236:5 340:3 379:12 consequences 80:3 271:7 336:13 340:18 345:8,17 353:14 354:2 355:2 355:15 357:8,22 358:15,16 consider 30:22 149:13 203:1 215:2 287:4 293:12 339:12 345:20
---	--	--	---

[consider - count]

Page 438

358:21 considerable 210:2 210:2 considered 24:17 77:13 86:10 175:6 254:22 317:5,6,16 355:23 372:4 considering 30:19 considers 26:7 consistent 29:18 consonant 77:17 constitute 199:16 200:11 201:2 constructed 181:4 consult 14:8 16:10 91:23 173:14 177:1 249:6 298:12 consulted 86:1 consulting 270:22 contact 13:20,22,23 46:21 177:13 256:14 314:12 contacted 47:10 174:1 175:6,8 189:3,22 345:6 contacting 297:2 contain 427:6 contained 20:12 27:13 353:7 containing 249:2 contains 242:5 368:13 content 68:22 74:10 94:8,12 258:17 264:1 354:19 356:18 379:7 387:12 contents 3:1,5 context 60:17 164:19 166:21 339:10 391:4,6	393:17 399:3 contingent 4:11 21:8 93:22 147:19 162:19 continuation 13:9 continue 23:5 33:15 34:13 58:13 78:10 83:2 84:10 106:7 107:10 139:5 142:10 198:21 202:18 225:18 229:10,11,13 241:20 287:23 290:1 304:16 305:11,18 360:18 366:22 374:6,7 382:7 411:17 continued 200:15 201:19 238:23 243:18 366:13 378:15 continuing 166:22 373:17 continuous 152:10 200:9 continuously 151:18 contradict 30:7 contrary 16:7 17:23 52:21 contrast 27:3 contributed 182:12 250:13 control 50:1 205:11 256:2 conversation 42:21 45:4 46:11 47:19 107:14 147:10 156:18,20 186:18 255:23 339:11 342:14,18 343:3	conversations 60:10 166:3 174:7 174:10,11 177:18 177:22 178:3 198:16 271:8,10,15 271:16,17,18,19,21 272:17 334:4 convey 246:22 conveying 300:17 convince 321:17 333:20 335:9,11,17 379:19 380:3,7 381:21 convinced 332:5 334:15 cooking 230:22 coordination 278:13 coordinator 370:22 copied 79:2,4 189:15 383:10 409:5 copy 32:5 120:10 297:17 410:18 415:4 copying 190:1 correct 15:2,8 16:16 21:15,18 22:3,6 23:6,7 25:13 27:6 29:23 33:13 35:2,23 36:1 39:10 39:15 47:8 53:9,16 55:22 59:21 61:20 77:21,23 90:5 100:3 105:2 109:21 110:2,4 131:3 132:6,23 136:20 138:6 151:22 152:15 153:6,8,9 155:22,23 156:4 159:15 163:4	165:17 203:21 207:2 236:4 250:11 252:5 263:4,10 264:2 268:1 276:12 276:13 281:17 285:6 288:4 306:16 309:8,16 322:9,11 322:16,23 335:20 365:12 366:14 369:14 370:9 372:1 372:5 373:13 376:12 380:3 392:6 394:4 395:13 405:2 410:7 411:22 413:2 413:13 414:16 424:9 427:6 corrected 418:5 correcting 324:16 325:2 correctly 43:3 135:22 415:18,22 correlated 318:7 corresponded 224:7 correspondence 261:7 counsel 9:15 37:19 38:17 39:3 83:17 84:5,9 129:11 238:15 239:18 240:11 246:23 249:6 262:21 264:4 265:19 267:4,6,11 297:17 332:23 361:10 362:20 383:5 384:6 385:7 385:22 410:11,17 414:15 418:7 427:14 count 245:15
---	---	---	--

[counted - decision]

Page 439

counted 189:20 244:18,22 counting 205:22 country 230:10 county 427:3 couple 92:12 257:2 307:3 338:21 course 242:1,2,4,6 242:7,8,9,12,20 243:4,18 244:4,14 364:18 courses 115:12,14 116:3 244:18,19,20 244:21 245:3,11 coursework 115:15 116:5 127:11 306:6 court 1:1,22 8:9 9:13 10:2,6,13,18 10:20 12:10,11 37:14 81:16 83:12 83:16 238:9 263:2 263:23 266:5,7,11 266:20 278:9 285:14 360:3 427:4 427:20 court's 238:21 241:19 262:18 263:16 266:8 courtesy 128:2 courthouse 1:12 create 88:15 91:18 91:19 92:18 180:8 235:2 409:9 created 24:7 58:21 88:7,16 89:11 91:10,11,17,20,22 92:5 93:22 94:1 146:9 147:19 148:8 149:8 162:20,23 164:14 235:5	creates 319:9 creating 79:14 creation 260:19 credible 86:21 167:15 credit 116:4,7 118:16 127:11 242:2 244:5 245:12 245:12,14,17 criminals 232:12 criteria 31:11 52:6 52:7 90:17,20 132:9,13,18 159:17 159:19 160:5,7 218:23 242:16 critical 31:16,17 229:9 criticism 331:8 criticisms 327:6 crux 121:13 321:1 curious 229:3 current 329:16 342:7 343:8 344:17 374:16 376:17 377:1 378:8 381:7 418:6 custody 286:2 287:3 348:8 349:22 cut 313:11 362:20 363:7,10,12,18 365:14 366:6,10 cutting 333:5 364:10 365:11 cv 1:5 9:8 cwid 371:2	dangerous 345:18 data 121:18 124:6 318:12,14,23 319:2 321:10 date 33:13 36:1,3 42:21 162:13 207:6 207:10 273:16 274:3,9,23 275:8,9 275:11 303:2 306:14 308:1 309:16 310:4,21 311:1,2,3,4,23 314:9 322:13 374:10 420:3 dated 4:8,21 5:8,13 5:17,21 6:5,12,19 6:23 7:10,14 207:9 370:12 372:3 dates 274:22 275:22 277:3 309:14,14 373:8,22 davi 314:14 davis 314:8,13,17 314:21 355:6 day 34:23 35:5 147:19 163:8 164:1 177:20 248:3 255:23 271:12,15 307:1 326:20 364:18 413:5 427:17 days 42:20,20 92:12 163:1 171:2 253:13 257:2 270:13 281:10 307:3,15 de 137:11 dead 316:23 317:11 317:15,18 320:16 dealing 175:12 184:21	dean 11:11 36:18 38:20 40:3 79:1 94:4 96:18 150:2 159:14 176:22 177:3,4,7 197:6 216:7 233:19 254:5 354:17 379:5 401:20 403:5,6,9 403:13 404:3,9,12 404:14,16,16 dear 161:11 248:23 decent 68:18 71:15 356:13 389:21 decentralized 13:13 18:8 49:15 50:1 177:22 178:1 224:2,15 227:19 decide 52:12 decided 41:4 135:21 deciding 166:8 337:5 decision 13:23 19:4 22:19 23:11 28:12 44:6 54:13 59:21 72:13 73:7,13 74:2 74:8 75:13 112:22 136:17 139:4 140:4 141:22 148:14 149:21 150:8 163:12 167:15 168:17 169:3,20 195:6 203:9,20 224:16 226:23 227:2,3,4,20 228:15,18,21 230:15,17 234:12 244:1 269:20 270:17 274:23 293:1 294:16,17 298:15,19 299:16
---	---	--	--

[decision - determine]

Page 440

300:11,14,17,18 301:2,5 313:14,17 327:8 370:9 377:3 389:2 392:15 decisionmaker 167:13,14 168:17 168:22 decisions 50:2 73:1 73:12 77:17 140:16 150:4 228:10 229:8 238:12 284:1 304:18 310:15 350:17,18 374:15 389:4 394:21 decrease 245:16 deem 119:13 deemed 242:8 337:22 374:21 deems 118:6 119:16 deeply 186:2 defend 113:20 116:22 127:9,14,16 128:6 134:10 defendant 1:8 2:6 7:16 defens 114:8 defense 114:2 116:8,10,12 117:2 117:3,5,7,12 118:2 118:18,20 119:2,6 119:9,10,15,18 123:15,15 124:1,3 124:12 127:22 140:17 defenses 120:6 defensible 114:4 118:7 119:15 123:9 213:10 deficient 116:17	defined 96:17 171:23 172:5 definitely 59:6 89:13 145:9 171:16 279:14 418:1 degree 50:14,14 134:9 169:3 232:8 292:15 376:22 degrees 133:20 134:2 delay 83:19 165:23 166:1 deliberating 255:6 demanding 331:22 demonstrated 26:2 54:20 136:7 denial 249:3 284:10 352:23 denied 278:20 312:15 313:23 deny 116:8 119:17 dep 399:19 department 4:15 13:14,19 14:7,18 14:20 15:4 18:13 18:15,20 19:2,3,6 19:20 20:2 23:3 24:12,13,16 25:1 26:6,13 28:8 38:7 38:22 40:4 41:4 43:12 44:2,12,16 45:5,8 46:17,22 47:8,10 50:5,19 51:12,15 52:19 53:6,13,19 61:17 62:6 67:13 70:9 72:16 76:14 77:14 86:20 90:19 94:1 100:7,11,12 101:7 104:7,17,18 116:9 117:16 120:1	124:21 127:15 130:15 132:10,11 139:8,12 140:11,14 141:12 142:3 148:9 150:4,16 151:16 152:9 159:20 162:21 169:9 177:19,23 178:4 185:3,12 197:3 199:23 203:19 207:23 214:19,23 224:21 228:7,16,18 228:20 229:1 233:22 256:15,22 259:15 268:19 270:20 278:14 281:5 282:16,18 285:19 288:16 291:3,7 293:1 298:22 312:21 313:1 314:12 346:3 374:16,19 375:14 376:5,8,18,19 377:13,21 378:9 379:21 381:5,7 403:3,4 404:1 417:20 department's 14:11 15:21 203:20 departmental 26:9 55:3 departments 138:19 140:2,10 223:20 224:13,15 227:18,19 depend 226:17 depends 401:19 depose 145:17 deposed 362:3 deposi 361:20	deposition 1:10 4:12 8:6,17 9:4,9 21:5 31:22 32:6 33:1 39:22,23 83:19 84:10 220:9 240:13 322:14 360:22 361:1,9,23 399:20 409:11 426:13 derive 397:16 describe 129:18 317:19 338:8 described 166:11 270:22 describes 368:7 describing 315:15 designed 97:12 185:6,17 189:13 192:9 290:9 294:8 318:14 desk 391:8 detail 137:19 details 50:7 61:12 182:23 247:15 325:12,13 328:11 determinant 148:13 determination 55:11 56:21 132:17 132:23 136:2 137:8 137:12,16 139:19 139:22,23 148:5 159:5 163:17 166:13,14 188:19 236:6 322:4 determinations 222:4 determinative 31:18 133:17 determine 111:10 376:20 415:6
---	---	---	---

[determined - disrespectful]

Page 441

determined 132:16 136:3 161:21 190:18 determines 130:15 determining 239:11 device 151:11 di 227:14 337:2 350:2 dictate 374:17 376:18 378:9 381:8 difference 186:21 187:18 188:1 247:9 320:8 418:8 differences 320:22 different 24:14 27:2 49:16,17 50:5 51:3,7 73:8,9 99:20 113:23 156:17 210:3 219:2 223:12 223:19 226:1 230:23 242:7 244:18 290:11 294:17 319:10,11 345:22 368:8 396:11 424:22 differently 50:20 139:13,17 182:7 242:18 244:22 340:7 390:9 391:11 difficult 101:20 difficulties 182:10 396:12 difficulty 396:12 diligently 254:23 dir 117:17 direct 176:14 180:19 185:10 192:22 193:7,9,12 195:5,15,19 196:5 261:3 314:11	403:17 422:12 directed 152:19 153:3 174:13 189:2 203:17 394:1,10 directing 192:21 193:5 195:14 direction 65:12 111:10 153:19 156:17 317:21 directly 176:17 180:6,6 181:9,23 182:15 183:8 255:11 261:4 265:4 297:2 357:9 366:17 director 70:4,7,13 72:17,20 110:15,17 117:10,11,15 118:6 151:17 152:8 173:7 195:10 196:5 200:1 248:21,23 249:2 250:7 252:15 271:17 315:22 342:3 directors 110:9 111:9 153:17 156:10,15 210:6 213:5 directs 181:2 disagree 134:23 135:5,6 154:1 287:19 323:4,6 disagreed 135:2 disagreement 122:4 134:18 153:20,23 154:8 disappointing 301:10 discern 203:16 disciplinary 239:6 discipline 230:7	disciplines 50:13 discontinue 227:9 discovered 151:10 discoveries 317:14 discovery 238:17 239:8 260:19 318:6 discuss 24:10 142:23 144:9 152:14 157:20 207:18 305:6 339:7 342:4 374:20 383:2 388:6 discussed 267:10 387:12,21 discussing 340:17 discussion 45:14 147:2 149:2 316:7 388:3 discussions 45:1,7 207:15 disentangle 101:21 102:1 dismal 281:1 dismi 251:8 dismiss 22:10,14,16 22:21 24:18 28:17 64:13 130:17 163:1 251:6 286:15 299:12 319:2 375:9 dismissal 12:19 15:19 16:6 18:23 19:1,10,16 22:1,13 30:11,14 103:13 106:15 128:15,21 131:1 149:22 158:20 225:16 233:23 236:15 239:3,5,13 272:22 275:1,9 292:13 299:13 304:22 305:9 306:4,13,14	307:23 308:19 309:4,13,20 310:20 311:2,4 343:11,13 353:2,9 354:12 370:2 405:9 407:10 407:11 413:1,7,12 424:18 dismissed 14:16 15:2,6 16:21 19:18 19:19 20:4,7,10 22:3 26:14 27:4 28:10,13 29:2 33:21 34:4 35:1,8 35:23 36:3,8,16,19 37:18 38:21 39:1,3 40:4,6,7 42:10,12 43:13 44:17 47:12 65:9 96:7 114:15 164:9 225:4 228:13 228:19 239:12 251:8 268:17 270:6 272:18 273:13,22 275:14 276:8,11 282:20 283:7,21 285:10 293:3 300:3 304:15,20 305:8 308:11 312:14 313:22 345:10 346:22 352:22 355:11 376:23 421:22,23 dismisses 13:15 17:19 283:1 dismissing 16:19 296:22 dismission 308:6 dispute 46:3 247:8 disputes 46:9 disrespectful 26:3 54:22
---	---	--	--

[dissertation - dr]

Page 442

dissertation 50:16 50:18,23 56:13 57:14,17 65:13 68:11 69:15,17,23 71:11 74:10 110:18 110:19 111:11 113:21 114:2,4,23 115:16,19 116:2,4 116:8,20,23 117:1 117:7,18 118:1,17 119:5,6,14 121:7 121:11,22 122:2,12 123:22 124:10 127:10,12,22 128:6 133:21 134:13 137:7 139:3,20 140:15,17 151:4,9 153:18 195:5 196:6 207:16 213:10,20 242:15 244:4 245:13,15 356:7 367:16 396:4,7 dissertations 152:18 153:3 157:2 157:3 242:17 distance 73:11 distant 139:2 distracting 107:8 240:16 distraction 241:1 district 1:1,1 ditto 155:17 division 1:2 doc 164:10 208:18 doctoral 121:16 192:21 193:6 203:2 223:18 225:5 242:17 259:14 268:17 273:23 docu 276:16	document 12:17 13:3,4,17 20:16,22 21:1,4 24:7 48:4 56:6,7,16 58:6,11 58:20 63:17,20 68:10,21 70:23 71:10 77:10 79:16 79:18,23 85:20 86:19 87:4 120:21 121:20 132:4 133:10 142:12 146:14,14,18,19 148:1,8,13,20 149:8,8 150:15,17 150:18 157:23 161:5,7 162:19 163:1,15 164:11,14 164:15 167:5 172:21,23 176:10 206:14,16 208:18 213:21 216:1 223:3 223:4 231:19 232:13,13,14 246:11 249:19 258:11 268:7,8 276:17,20 280:12 297:23 315:9 316:15,16 326:1 338:18 341:10 353:7 355:20 356:6 356:16 357:4,10,18 359:2 360:6 367:8 371:16,17 382:6,9 382:19 383:16 386:15 393:2,3 407:5,6 408:14,15 410:10,12,22 411:7 414:13,14,16,19,20 414:23 415:23 416:8,13,14,20 417:4 422:4 425:1	425:2 documentation 97:15 162:2,10 209:3 214:5 documentations 214:6 documented 371:6 documenting 16:14 documents 4:9 12:20 36:22 40:15 44:8 47:1 49:1 60:17,19 79:14 81:20,22 131:17 162:16 163:2 164:2 216:2,2 219:18,23 222:21 276:1 299:5 299:9 333:18 340:20 406:15 doing 50:6 52:17 64:3 75:6 83:22 257:15 286:9 288:1 288:3 303:10 325:14 333:12 dollar 151:7 dollars 182:14 domain 122:9,22 172:3 domestic 227:1 don 69:22 261:19 door 205:14 257:12 278:1 315:1 dorr 100:2 105:18 105:21 dors 173:6 dorsey 4:23 6:19 86:7 89:17,20 173:3,6,14 193:4 203:7 248:21,23 252:16 271:17 312:10 313:4,20 314:15,15 334:5,22	335:10 337:14 341:13 342:1 343:6 345:6 346:7,8,13 346:14 352:18 354:9 367:6 368:5 368:12 370:12 371:20 374:23 380:9 387:17 dorsey's 89:19 doubt 207:21 downloaded 383:8 dozen 160:14 191:17,18 dr 10:3 21:5 24:20 27:17,22 28:1,19 29:7 31:22 33:11 34:2 35:7 36:12 37:7,17 38:3 40:20 42:1 44:7 45:2,17 46:18,19 53:16,17 54:2,7,8 58:11 59:1 59:5,18,19 62:3 63:7,23 64:1,6,8,12 64:15,19,22 65:20 66:5,7,13 67:22 68:11 70:6,7,8,12 78:21 79:2,3,3,5,9 96:12 99:9 104:18 104:19 106:4,5,5,6 106:7,11,13,14,17 107:16 108:2,11,21 110:17 111:23 112:1 117:19 124:14 130:9 142:19 145:17,20 146:3 147:17 149:6 149:14 158:4 161:19,19 162:7,8 162:8 163:6,9 167:11 168:16 169:8 170:11
---	--	---	--

[dr - dykes]

Page 443

187:15 197:11,13	due 58:21	163:14 166:23	313:9 315:9 316:12
204:23,23 205:1	duly 10:22	167:8,16 168:6,10	316:16 317:17
206:1,2,18 208:16	duty 49:10	168:19 169:16	321:23 322:18
208:16 212:13	dykes 2:7 9:17,18	170:9,14 171:5	324:12 326:1
217:13 236:23	10:17 12:21 13:2	172:9,19,22 174:15	327:22 328:15,18
237:14,18,21 238:6	14:2,4 20:19,23	174:18,20 175:19	329:3 330:13 332:1
238:9 239:7,15	21:6,19 22:5,7 25:5	175:21 179:10	332:7,11,14,19
241:6 246:14	29:5,21 32:3,10,13	180:14 181:12,15	333:1,23 334:19
251:21 252:15,20	32:17,20 33:1,5	182:20 183:16	336:8,10 337:11
254:13 256:6 276:4	34:5,15,18 35:10	184:10,16 186:23	338:18 341:10
282:23 295:15	36:4,12 37:6,10,15	187:12,21 191:9,15	346:6 348:15
297:4 299:11	37:23 38:16,18	191:22 193:18,20	350:11 352:3 358:5
312:12 316:22	39:5,8,12,16,20	194:4,15,19,22	360:11,15,21 361:3
318:20,23 319:12	41:18 45:12 51:18	195:21 196:16	361:12,16,18
319:21 321:7,8,12	54:3,10 56:17	198:20,22 199:3	362:14,18 363:8,15
321:14,16,18,20	58:15,19 59:22	202:11 205:5	363:17 364:16
322:2,6 325:7,16	63:8,11,15,22	206:11,15 208:20	365:13,20,23 366:3
327:15 329:21	64:10 65:3,22 66:1	212:17 216:4	366:15,23 371:13
338:22 343:10	66:14,23 71:21	217:16 219:12	371:17 372:7
353:1,10,11,19,19	76:1,7,10 81:5,8,11	220:1,4,16,18	375:12 378:16,19
354:13,17,18 355:4	81:15 82:5,11,13	223:3 227:15	378:21 379:23
356:6 366:9,18	82:23 83:3,7,10,20	232:21,23 238:3,19	382:19 383:7,17
367:5 370:22 379:6	84:6,11 86:23	239:20 240:5,9,14	384:9,12,15 385:14
384:3 386:22 388:4	89:16 90:6 91:1	240:18,21 241:2,13	385:20,23 386:4,8
388:4 395:19	94:23 97:2,5	241:21 246:11	386:15 387:15
397:19 405:10	104:23 106:19,21	250:19 255:3,17,19	392:7,22 393:3
408:5 410:2 417:21	107:2,5 109:6	257:17 258:1,6,11	394:5,19 395:7
draw 60:20,23	120:2,18 123:16	261:23 262:19	398:19 399:8,14,17
88:19 89:8 98:3	125:12,17,22 126:2	263:4,11 264:3	400:10,16,23 401:6
144:17 156:22,23	126:4,7 128:8,22	265:1,12,15,18	402:2,4,7,11
157:5 164:16 171:9	129:3,13,21 130:2	266:2,7,16,22	405:23 406:3,9,13
288:11 398:3,20	131:5,20 133:11	267:2,20 268:1,8	406:16,21 407:3,6
drawing 88:23	134:16 137:2 138:7	274:16 276:15	407:15,20 408:3,15
392:10	141:23 143:13	277:1 278:19	408:23 409:15,17
drew 388:15	145:13,16,22 147:7	279:19 280:12	410:10,13,23
drive 2:4	148:3,11 149:18	281:18 286:5 287:6	411:10,18 414:14
drop 146:22 148:22	151:23 152:16	287:10,16 288:5,15	414:18 415:2,19,21
148:22	153:11 154:13,19	290:18 291:5,10,23	416:2,5,11,18
drops 243:17	155:17 158:7,10	294:1 296:6 297:23	417:3 419:1,4,7
drug 11:22	159:16,23 160:8,10	304:1 309:17	425:20 426:9
	160:13 161:4	311:10,12,16,22	

[e - entanglement]

Page 444

e	27:12,14,15,22	304:8,9 307:7,18	212:13 219:14
e 2:1,1 4:1 34:14	28:19 30:8 31:19	307:19 312:9,11,13	222:11,20 262:20
earlier 61:15	33:12 34:3,22	313:4,10,15 314:16	263:13 264:12
106:20 115:3	35:20 38:23,23	315:14,17,20	265:21 266:23
269:14 373:5 408:6	40:18,23 41:5,9,11	323:15 326:5,6,8	267:4,12,14,20
424:3	41:15,16,23 43:16	326:10,14 327:13	271:1 277:18,19
easily 230:17	43:19 44:7 47:5	327:17,20 328:23	285:4 294:6 310:6
echo 52:6 422:12	48:1 58:2,16 59:11	330:16 334:8 336:1	326:3 336:3,6,22
editing 96:1	59:14 60:3 61:17	336:9,12,14 338:4	337:14,15 339:12
education 23:5	61:21,22,23 62:2	338:7,20 339:3	339:22 351:4
138:20 230:19	67:5,11,14,20 68:1	340:4,17 341:18	367:23 369:13
ef 302:16,17	78:14,17,21 79:2	342:11 343:16,18	372:2,20 373:18
effect 210:10,11	80:10 81:13 82:18	343:18,22 344:12	383:8 384:18
228:15 243:20	89:23 92:10 95:9	345:8,16 347:20	403:17 408:17
302:5,9,11 306:5	95:16 96:1 97:18	348:11 350:19	409:3,4 411:1
306:13,15 307:23	98:4,7,19 130:8	351:6 352:17,20	emphasis 370:3
308:5,7 309:6,13	132:8 142:18,19	353:2,6,13,21	employ 427:14
310:21 319:8,9	143:5,10,21,23	354:8,10,14,20	empower 7:4
325:16	145:18,20 149:9	355:5,14,16,21,22	empowered 139:21
effective 79:20	163:20,22 165:4	355:23 356:2 357:2	166:12
302:15 308:19	166:11 173:2	358:20,21,23 367:3	ended 383:13
effectively 298:8	206:18 216:11	367:4,7 368:3,6,11	384:14,17
300:21 301:1,17,20	218:4,6,12 219:9	368:12 369:5,11,12	endorsed 270:21
301:22 302:10,21	219:21 221:9 223:6	370:12 372:5,12	endorsing 178:21
303:14 307:20	225:2,11 228:2	373:1,20 374:8	179:6
308:11,13	233:18 246:13,16	379:4,8,17 380:18	ends 225:23
effectuating 239:13	247:20 248:18	380:19,20,21 385:1	energy 56:10
either 46:18 61:3	252:19,23 258:19	387:3,5,8,9,16,18	engineer 211:14
65:16 67:2 222:9	259:4,19 260:3,8	389:20 390:4 412:1	english 302:17
227:6 242:6 306:4	260:13 261:17	412:18 414:1	enroll 306:6
306:12 310:23	262:11 263:14,20	417:14,17,22	enrolled 174:23
390:19	263:21,23 264:6,10	418:11 421:8	203:2,13 243:1
electron 318:7	265:11 267:9,22	emailed 272:11	259:8,9,17 260:1
elizabeth 11:6	268:12,15,18 272:5	274:11,19 351:3,3	enrollment 238:23
email 4:22 5:2,6,11	272:9,14,20 273:9	emails 21:10 41:19	ensure 51:19 290:9
5:14,15,19,22 6:3,6	273:10,12 275:16	41:21 44:4 59:13	314:8 342:8 344:18
6:9,10,13,16,17 7:6	276:4 280:14 281:2	177:9 180:2 186:13	346:15
7:7,12 15:12 17:4	282:17,23 284:4	207:9,20 208:7,10	ensured 159:17
17:12 18:4 20:5,7,9	285:8,18 293:16,17	208:11,16 209:18	ent 297:20
20:11,13 21:2,12	298:3,4,5,8,12,22	209:22 210:1,14	entanglement
21:22 22:1 27:11	299:12 300:21	211:1,4 212:7,12	169:20

[enter - explanation]

Page 445

enter 12:18 205:21 222:22 251:13 279:1 297:20 347:19 348:2 349:15,17,19 402:21 entered 12:10 266:20 278:8 348:9 entering 286:20 enti 410:16 entire 263:20 entitled 125:20 126:1 202:7 238:16 262:23 265:21 266:4 267:13 environment 396:21,22 397:2,21 397:22 398:5,16,17 398:18,22 400:6,14 equally 182:22 equitable 97:18 erase 94:13,15 erased 92:11 93:2 erred 267:7 esq 2:7,7 established 218:23 229:22 estimated 183:19 et 5:8 6:7 7:9 207:17 339:14 ethical 84:1,1 ethics 370:21 evaluate 54:9 150:9 150:12,15 159:18 197:3 218:21 221:23 evaluating 150:11 218:19 evaluation 174:14 198:11,13 215:11 232:7	evaluative 121:16 124:12 150:3 evenhanded 74:3 294:11 evening 286:13 evenly 139:7 evenness 73:6 everybody 30:9 79:4 211:16 everybody's 285:16 evidence 8:18 72:1 139:11,16 140:19 140:20,22 157:10 159:4 199:16 200:11 201:2 216:14 219:10,14 238:18,20 252:13 252:22 253:1 341:2 397:10 414:6 evidences 294:21 evident 204:3 exact 190:21 217:12 272:13 357:14 417:16 exactly 110:14 116:13 211:15 301:13 317:9 340:11 376:6 exaggerated 370:2 examination 3:9 11:1 214:21,23 371:2 examined 10:23 example 143:22 182:18 212:3 230:18 285:23 337:3 339:15,20 340:14,21 excellent 210:3,16 211:17 213:6,6,7 382:14	excerpts 4:13 exercise 396:10 exhibit 4:4,5,5,9,12 4:14,18,18,22 5:2,5 5:5,10,10,14,18,18 5:22 6:2,2,6,9,13 6:16,20,20 7:1,3,6 7:11,11 12:6,7,14 12:18 20:16,17 31:21 32:1 35:19 43:8 48:23 57:22 78:15 120:12,15 131:21 132:3 142:11,17 160:23 161:3 165:3 172:15 172:18 202:19 206:8,9 222:23 223:1 246:7,10 258:8,9,13,17 268:3,4,10 274:7 276:2 277:7 280:8 280:11 297:20,21 313:16 315:8,10 325:20,23 338:15 338:16 341:6,9 352:15 355:18 382:15,17,21 386:12,13,17 406:22 407:2 408:9 408:12,21 409:18 409:20,20 410:16 414:8,10 exhibits 3:6 410:18 existence 199:8 expect 57:10,13 83:7 230:6 310:18 330:21 331:1,4,5 expectation 184:14 201:22 202:3 expectations 242:13	experience 18:1 72:19 74:19 123:21 286:23 289:11 301:11 experiment 214:11 318:15 experiments 201:12 211:23 318:12 expertise 138:15 173:15 246:1 334:21 expires 427:21,22 explain 12:12 13:6 18:3 27:10 37:21 38:2,13 44:13 45:17,18 49:9 58:1 72:11 76:12 87:12 92:23 95:18,19 97:13 110:13 121:14 125:14 126:11 129:12 130:22 144:5 173:5 203:4 223:9 249:14 282:22 301:21 322:2 338:5 339:17 342:10 345:3 389:5 397:10 explained 16:11 71:9 94:5 137:18 139:1 177:19 384:9 384:11 explaining 18:10 63:12 136:22 208:13 251:19 360:12 361:7 371:20 372:19 explanation 46:13 137:3 313:8 360:17 362:8,11 388:17
---	---	---	---

[explore - first]

Page 446

explore 305:15	355:5 375:18,20	faulty 58:7,23	find 91:22 97:17
explored 60:12	379:5 402:3	327:3	131:17 133:9 169:5
express 185:13	fail 119:9 242:1,6,8	february 1:14 9:3	207:20 234:4 235:3
expressed 353:11	242:23 243:3,15,17	12:11 251:9 262:18	237:23 251:4
expressing 353:20	244:19,21 245:2	263:3 266:13	340:14,20 341:1
extra 182:23 183:1	306:5	417:15,16 418:19	401:3,9
f	failed 64:16 196:18	421:11	fine 10:17 76:10
f 1:23 243:10 244:2	244:4	federal 1:12	107:15 129:13,22
244:6 245:1 246:6	failing 290:23	feel 185:13 191:11	204:8 220:7 222:9
305:13 306:1 342:5	fails 243:7 245:14	192:7 232:17,18	241:21 246:23
357:3	290:16	234:13 275:5	247:3 288:13 386:4
fabrication 59:2	failure 121:6 196:8	291:11 335:5 339:9	finish 73:17 74:14
60:5 70:5 161:18	203:10 246:20	fees 23:6	74:16 75:5 97:3,9
161:23	247:6,7 292:14	felt 198:15 234:14	134:6 231:18 233:6
fabrications 161:18	fair 75:14 97:17	322:2 328:1 354:19	332:18,21 333:3
face 207:15,15	183:1 185:1,6,11	372:12,14 373:2	362:22,23 364:7,12
214:4,4 215:22,22	189:14 192:10	379:7	364:13
215:23,23 227:4	287:4 290:15	fi 422:17	finished 116:6,7
faced 366:16	291:18 294:10	field 75:3 204:1	226:1 243:19
faces 227:2	fairly 77:13 104:1	230:11,20 231:6	281:16 362:17
facilities 242:22	183:5 290:10	fifth 70:12	fir 32:21 45:6 207:5
facility 70:5	faith 188:22 218:1	fight 79:21	fired 66:18
facing 226:23	289:11	figure 204:13 301:8	firm 9:11,14
227:2 366:17	fake 232:14	figured 270:7	first 10:22 13:7,22
fact 53:12 77:22	fall 92:14 93:8	file 15:21 37:12	14:19 15:12 18:16
96:10 151:6 203:7	268:22 270:5	81:16 105:13	25:18 28:6,13 30:2
211:18 259:14	280:23 304:17	331:21 418:16	32:21 33:9 42:23
302:19,20,22 303:3	306:3,7 312:15	419:3	43:9 46:2,15 58:17
409:1	313:23 424:20	filed 105:22 231:19	62:12,17 79:6
facts 109:22 269:16	false 58:11 68:10	251:5 266:19	80:15 100:2,6
269:22,23 270:2	79:14 219:21 356:6	421:23	105:11 146:20
290:2 323:13 345:4	familiar 50:6 99:3	final 16:15 111:21	161:9 165:3 167:4
faculty 26:4 54:4	99:5 423:22 424:14	274:22 414:23	176:10 186:9
54:22 55:10 132:5	far 73:17 147:9	427:15	189:23 200:5
134:19 142:5,6	fashion 41:3	finally 15:5 92:9	206:20 207:6 210:8
173:20,22 188:7	239:16 241:16	333:20	266:15,19 268:11
192:20 193:4,8,10	fast 282:7	financial 26:12	273:11 280:18
193:15,23 194:5	faster 316:20	28:7,15 33:18,23	298:2 313:15 316:2
195:4 201:5 212:19	father 88:10	282:19 286:16	327:2 336:10
212:23 242:22	389:17	300:2	341:13 352:16,20
353:8 354:15,17			369:3 370:17

[first - fund]

Page 447

382:23 387:2 410:3 417:12 421:6,9 424:21 fits 77:10 five 68:9 70:2,15 76:6 92:13 93:5 94:14 115:21 157:22 160:2,3 199:1,4 210:3 276:22 318:9 356:5 362:19 367:15 368:7 387:23 389:7 fixes 122:2 floor 1:13 focus 240:17 folks 228:17 follow 18:17 20:14 23:12 24:21 29:12 30:16 31:14 42:13 97:23 98:4,19 99:14 104:2 109:11 125:13 128:7 184:23 190:7,14 219:7 241:10 283:3 289:2,9,22 290:6 290:17,23 295:1,6 295:8 296:7 299:14 299:21 300:5,9 305:5 320:10 331:22 342:9 353:3 377:8 followed 51:20 90:8,12 97:1 104:4 108:22 109:4,20 110:2,3 111:15 113:12,14,16 130:12 135:21 159:14 186:7,8 187:3 239:10 289:6 290:14 302:1 377:2	following 25:2,12 33:19 40:16,21 51:16 52:23 104:12 104:13 190:13,14 190:16,17,20 245:20 268:19 291:20 292:2 306:10 follows 10:23 14:10 foregoing 427:5 forgot 268:6 form 8:14 14:4 22:7 25:5 29:5,21 37:23 43:14 51:18 54:3,10 56:17 59:22 63:8,10 64:10 65:3,17 66:2 71:21 82:22 86:23 89:16 90:6 94:23 104:23 109:6 120:2 123:16 128:8 134:16 141:23 143:14 147:7 148:3 148:11 149:18 151:23 152:16 153:13 158:7 159:16 163:14 166:23 167:16 168:19 169:16 170:9,14 171:5 174:15 179:10 180:14 181:12 182:20 183:16 184:10,16 186:23 187:12,21 191:9 193:20 194:4 195:21 196:16 202:11 205:5 208:20 212:17 216:4 217:16 219:12 227:15	239:16 241:15 250:19 255:3,20 278:19 279:19 281:18 286:5 287:16 288:5,15 290:18 291:23 294:1 296:6 304:1 309:17 313:9 317:17 321:23 327:22 329:4 330:13 332:2 333:23 334:19 336:8 337:11 348:15 350:11 364:20 372:7 375:12 379:23 392:7 394:5,19 395:7 398:19 400:10,16,23 401:7 425:21 427:8 formality 8:11 forth 8:8 forward 44:5 47:2 67:19 75:7 104:6 122:3,12 177:11 204:10,11 208:15 320:21 326:14 327:15 336:5,7 339:11 350:22 369:4 417:8 forwarded 45:22 78:23 145:20 206:19 207:1 211:11 252:19 259:16 261:17 336:15,21 351:5 367:23 383:9 384:19,21 385:3 387:3,16 forwarding 208:18 252:15 335:23	found 236:9 318:9 foundation 151:8 182:13 214:8,10,16 236:21 400:20 four 33:2 42:20 68:12 70:13 149:12 163:1 195:14 198:1 199:8 200:3,16 201:5,21 205:2 211:18 309:14 311:13 312:1,3 315:20 356:8 376:2 381:12,13,15 406:19 fourth 157:21 309:16 frame 73:18 75:5 freedom 1:22 9:11 9:14 friday 370:13 frightening 357:13 front 30:9 74:1 146:15 222:8 259:22 263:14 269:8,17 275:22 422:5 fruition 157:2,4 fs 245:4 full 11:5 33:7 207:5 316:6,7 317:8 323:18 354:4 355:16 380:21 fully 120:22 121:4 283:19 284:23 functional 217:3 296:15 functioning 190:6 190:7 191:7,11 192:5,8 fund 250:12,13,14 250:15
---	---	--	---

[fundamental - gpa]

Page 448

fundamental 255:21,22 funded 172:2 funding 171:12,19 171:21 312:15 313:23 352:23 355:11 funds 249:23 250:5 250:18 further 12:13 162:10 167:5 222:17 249:1 272:17 353:17 374:20 391:4 427:10,13 future 195:7 374:18 415:11 424:20 fyi 280:20	259:20 generated 423:21 generous 310:17 genre 93:3 getting 231:17,18 237:12 248:2 253:7 347:5 give 10:8 76:5,5 80:1 97:12 110:12 112:5,11,13 120:10 121:23 138:8,11 146:23 148:23 173:9 183:18 185:6 186:11 189:14 192:9 194:14 213:14 227:12 240:4 243:23 244:1 248:10 276:22 303:4 307:10 309:10 310:14 335:3 345:19 357:5 357:19 362:5,8 377:16 404:17 415:4 given 177:11 240:22 295:2 301:14 362:7 398:6 414:20 gives 185:11,12 255:12 giving 156:1 229:19 249:4 256:16 350:13 411:9 glad 86:11 353:16 gladly 261:21 glanced 410:23 go 25:6 32:11 34:9 35:13 36:10 50:20 51:11 71:22 72:11 76:3 81:4 84:7,12	96:10 97:8,8 105:12 158:9 194:18 204:9,11 207:10 222:16 230:19 231:6 233:16 248:15 255:23 256:7 273:18 276:20 279:23 297:12 307:23 312:8 316:18 335:1,13 344:7 348:3,5 350:14,20 351:22 360:3 361:23 365:3 366:23 373:22 375:21 382:5,11 409:6 415:14 418:3 418:15 419:10 421:7 426:7 god 10:11 goes 96:19 122:2 153:11 254:12 306:5,13,14 308:6 309:6,13 310:21 408:3 goin 129:7 going 9:1 12:17 24:10 27:4 29:7 32:4 33:18,23 34:5 64:20 74:16 76:2 78:3 81:8 82:6 112:20 116:22 129:7,18 143:13 148:7 156:16 158:11 160:10,15 160:17 165:1 168:6 171:11 172:9 193:11 201:20 202:12 212:20 220:21 221:1,23 230:21 233:12	238:4 240:5,6 247:10,12 257:17 267:6 276:17 277:17 279:12 280:2 283:11 297:19 300:8 318:1 332:1 339:22 345:10 346:12 347:22 348:5,8 349:20 352:3,8 359:8,18 363:9,18 365:7 398:8 399:21 400:2 405:23 407:21 408:7 415:3 415:8 416:11,13,18 418:16 419:2 421:7 426:10 good 11:19 17:11 19:23 26:8 33:22 35:1 55:1,18 58:9 75:8,10 103:21 127:6,7 128:2 130:2 133:7 135:18 137:19 151:5,20 152:11 169:7 171:22 172:4 181:22 201:7 213:16,16 215:2 231:13 318:12 371:12 374:2 390:5 409:2 419:20 420:19 423:17 goodness 192:16 government 258:22 governor 258:20 258:21 260:4,14 261:11 governor's 260:18 261:4,7 gpa 243:4,6,7 244:18,19,20,23
g			
gary 70:12 91:14 386:22 388:14 397:12 gather 72:1 general 59:8 68:16 76:13,15,21,22 77:4,6,19 124:17 124:22 125:3 126:20 129:17 137:20 139:10 152:17 153:12 154:12,14 183:13 194:7,10,17 263:13 326:12 327:3,5 330:4,22 356:12 391:15 395:23 generally 14:7 18:15 46:8 49:18 72:3,9 77:18 112:22 128:10 182:8 226:18			

245:1,2,3,11,16,17 grad 17:17,20,22 298:7 grade 243:6,17,21 244:6,11,16 245:7 graded 242:6 grading 242:12 graduate 4:14 11:12 13:8,10,12 13:16,16,20 14:9 14:10,18,20,23 15:7 17:19 18:11 18:16,21 19:7,9,11 19:21 21:23 22:22 23:2 24:17,23 25:3 25:23 26:6,10,15 27:8 28:11,21,23 30:12,13 35:21 36:21 38:8 40:8,12 43:9,11 44:11 46:9 47:6,9 48:2 49:4,6 49:15,19,21 50:7 52:12 53:4,18,21 55:3 56:20 67:16 70:13 78:22 90:2 99:23 101:12,16,17 101:18 104:8,11,12 104:13,20,22 105:12 108:23 109:2 110:5,10 113:13,15,17,18 116:1,1,21 118:10 118:10 119:20,21 119:23 120:9 132:5 132:10,12,21,22 133:4 138:16 141:20 142:21 144:8 150:19,22 159:15 190:15,16 197:6 224:4,22 225:7 280:22	284:17 308:18 419:23 420:22 424:22 graduated 115:18 graduation 101:23 grand 1:13 grant 237:7,8,13 great 79:11 156:14 210:16 318:6 greer 6:4,11 15:13 17:13 45:3 46:6 298:4 333:14 grew 358:11 griev 191:3 grievance 94:19 96:11,14,17,20 97:11,23 98:5,10 98:15,15,19,22 99:1,4,7 100:21 101:19,22 102:12 102:14,17,21 103:4 103:9,12,14,17 104:4,15,20 105:3 105:6,13,15,22 106:7 107:22 108:7 108:9,22 111:16,22 112:14 113:5,17 127:20 128:1,5 149:16 176:15 179:2,13,18,20 180:20 181:3,4 185:5,17 186:4,7 186:17,19 187:3,5 188:6,12,20,22,23 189:4,7,18,21 190:4,5,12,18 191:6 192:1,4,7,8 192:12 216:19 217:1,3,8,21 218:2 220:23 221:4,6,10 221:15,17,22 222:1	222:6,10,18 253:2 255:5,7,8,14 256:2 256:7 289:1,2,6,12 289:14,22 290:1,6 290:8,17 291:1,21 292:2,12 293:6,7 294:3,5,8 295:7,8 296:8,9,10,14,22 296:23 319:6 324:1 324:2,6,8,22 369:15,23 370:3,5 375:3,4,6,10,23 377:4,9,12 397:8 405:7,8,11,18 grievances 327:7 grieving 99:19 grim 88:4 94:10 387:22 388:13 389:6 390:1 398:9 398:15 414:4 grounds 54:12,13 54:16,17,19,20 246:18 247:16 group 69:19 72:15 79:12 90:3 93:21 145:6 198:1 199:8 257:11 316:5 336:3 336:5 402:23 405:12,22,22 groups 403:2 405:17 guarantees 139:6 guess 114:9 122:20 140:18 150:3 184:1 210:13 220:21 226:16 264:19,22 275:4 314:7 guessing 123:2,5 232:6 guidance 122:1 320:10	guidelines 53:21 gupta 59:5 70:8 161:19 162:8 204:23 206:2 316:22 318:20,23 319:12,21 321:8,12 321:18,20 322:2 gupta's 322:6
h			
h 4:1 ha 216:16 252:9 half 11:15,18 29:9 29:10 151:6 174:5 182:14 191:17,18 323:1 409:2 hall 391:12 hallway 96:18 han 5:3,12 6:14,22 45:2 46:6,18 79:3 106:4,5,6,11,13,14 106:17 107:16 108:2,11,21 111:23 149:14 165:5 177:6 187:15 206:18 208:16 212:13 217:13 246:14 254:13 295:12,15 297:4 338:22 384:3 388:4 404:3 hand 10:4 132:20 219:10 281:10 327:14 366:4,8 388:21 389:11,14 390:2,3 398:15 handbook 4:15 26:10 51:21,22 52:3,5,16 53:18,19 55:3 90:18,19 104:12 116:21 118:11 119:21,23 120:10,19 123:20			

[handbook - impact]

Page 450

132:10,12,21 133:4 135:20 150:19,22 159:20 171:23 172:5 190:15 270:23 377:1,8,14 handle 59:8 96:23 326:12 403:7,10,12 405:15,16 handled 100:20 103:8,11,14 256:8 340:7 379:20 405:19 handles 16:8 176:23 403:3,5 handling 102:20,22 happen 44:18 65:21 82:2 127:15 127:17 186:3 244:7 279:12,21 happened 44:20,23 45:17 105:23 138:5 217:1 244:8 257:8 257:9,10 267:18 283:12 392:18 happening 45:19 181:7 229:4 333:11 happens 14:12 119:19 193:13 253:22 285:22 321:3 340:12 happy 267:16 338:13 374:19 hard 182:23 306:17 396:4 harm 337:18 head 24:12,15 38:22 53:12 104:7 199:22 295:19,21 heading 27:10 heads 329:15	health 398:4 healthy 396:21 397:1,22 398:22 hear 46:8 63:3 86:11,12 129:23 155:9 156:18 157:8 184:3 186:18 190:9 192:10 283:5 397:16 heard 43:1 46:16 68:18 183:5 277:19 322:1 324:3 356:14 369:3,16 397:14 hearing 62:18 185:1,7,12 189:14 192:10 322:5 hears 41:1 held 9:9 49:20 79:23 354:23 357:4 357:18 359:2,9,17 360:6 379:11 389:22 help 10:11 157:6 222:12,14 320:18 350:21,22 helpful 207:22 284:21 helping 294:20 helps 353:15 hen 379:6 henderson 7:9 79:3 353:10,19 354:18 379:6 hereinbefore 8:7 hereto 8:4 heretofore 427:7 hi 225:3 246:17 268:16 272:15 273:21 280:20 298:6 326:9 339:4 352:21 383:1	hierarchy 105:7,8 105:10 189:18 190:3,12 high 56:9 70:23 115:22 123:14 200:14 201:5,8,23 202:1 211:12 230:1 230:3 394:23 402:17 higher 94:21 297:1 360:7,8,10 389:22 highest 96:13,15 100:10 101:7 104:16 105:6 186:9 history 75:6 149:15 hmm 62:1 65:14 140:13 255:1 348:10 350:1 hol 422:19 423:23 hold 15:19 16:2,12 16:14 19:8,12,14 42:14 130:19 233:20 234:2 268:21 269:2 270:7 280:23 302:2 308:17 359:8,19 422:17,19,21 holds 419:18 420:17 421:20 422:11 423:8,9,10 424:8 425:13 home 297:12 hope 282:17 305:20 353:15 hoped 305:6 hour 76:3 116:4,7 127:11 148:9 158:11 202:5,5 245:12,12 276:18 347:23 352:4 409:3	hourglass 88:9 hours 118:16 133:21 147:15 244:5 house 278:8 huey 370:23 huge 368:13 hum 23:21 71:7 77:11 85:19 111:17 117:14 147:22 205:16 211:8 214:15 229:2 246:15 254:8 274:1 275:17 277:21 284:9 307:13 326:4 347:13 379:14 382:18 421:10,12 425:3 hurt 222:14 hypothetical 168:1 i idea 138:3 330:6,8 338:2 391:17 identify 9:15 190:10 illegal 24:5 image 88:13,14,15 88:16,20 89:1,2,4,6 89:9,12 91:10,12 91:18,19,19,20,22 92:7 94:6,15 391:14 412:17 414:4 images 7:1 94:7 211:13 imagine 243:11 immediately 256:9 304:15,20 impact 228:20 271:3
---	--	---	---

[impacted - introduce]

Page 451

impacted 63:3 325:14 implicit 353:12,21 355:13 implying 93:7 important 73:15 350:16 398:21 impression 143:8 improper 94:7,12 144:1,18 317:10,11 improved 319:20 inappropriate 317:19 incarcerate 290:16 349:21 incarcerated 251:15 290:19 291:4,9,20 incarcerating 291:12 incarceration 292:9 incident 253:16 254:15,21 256:6,8 256:13 257:3 277:4 285:22 303:20 348:12 incidents 277:17 286:4 287:5 include 34:7 37:2,7 included 37:6 267:4 including 59:7 208:7 239:4 315:21 316:6 338:21 388:16 404:2 427:5 incomplete 243:22 243:23 244:2,12,16 incorrect 333:7 independent 13:21 213:14	indicate 339:13 indicating 13:1 21:16 341:22 385:15 417:18 419:15 indiscernible 33:17 81:7 322:22 individually 143:3 144:23 146:5 148:20 163:19 influence 229:4,6 329:9 inform 176:20 269:14 information 11:4 42:18 43:5 45:16 68:13,17,22 69:13 71:1 73:20 106:1 108:12,18 111:6 113:3 114:9,18 123:17 131:3,4 141:20 142:9 147:1 149:1 150:7,10 153:7,7 155:21 156:2,3 157:11 159:13 161:12,16 161:21 162:4 171:18,20 172:1 173:10 176:21 177:14 179:8 183:1 194:17 196:4 215:20 220:14,15 228:13 234:18 235:11 237:16 250:11 256:16 269:8 272:22 274:14 275:7 282:12 288:8 293:14 301:10 305:2 314:10 322:9 322:15,20 325:6,10	329:8 335:20,21,22 350:8,12,17 356:9 356:12,17 368:13 371:6 373:4 374:10 391:17 397:4 399:16 401:3,10 402:19 405:6 418:16,23 informed 121:4 149:21 234:6,16 281:8 305:7 342:20 345:5 348:4,12 349:16 informing 234:2 269:1 372:11 403:18 infrequent 16:10 initiate 377:9 405:18 initiated 174:9,10 input 72:16 inquiry 325:11 370:23 389:1 insecurity 58:21 insert 177:17 178:2 insinuated 83:22 insinuates 82:15 insinuating 81:12 insinuation 96:6 insist 221:8 insisting 372:3,18 373:3 inspector 59:8 326:12 327:3 330:4 330:22 instructed 126:9 instruction 128:23 intellectual 100:1 100:16,19 101:13 101:14 102:19 103:7,16 104:10	109:8 intelpro 104:9 intend 93:17 intended 227:11 391:14,18 intentionally 80:17 237:7 inter 229:23 416:19 interacting 411:8 interest 59:20 238:23 329:21 427:15 interested 167:5 interesting 17:16 396:19 interfere 61:9 interfering 185:22 intermediaries 224:19 internal 205:13 326:16 international 211:5 225:6,13,22 226:15 227:3 228:6 229:23 269:7 271:5,20 304:11 342:3 interpret 60:18 62:20 390:8 interpretation 63:16 396:6 422:9 interrelated 225:14 interrupt 276:21 361:15 364:22 365:1,5 416:19 interrupted 364:23 intro 362:6 introduce 12:5 20:15 31:20 161:2 172:8 258:7 386:11 414:10
--	--	--	---

[introducing - kind]

Page 452

introducing 172:17 206:7 246:9 280:11 315:7 325:22 338:14 341:8 407:1 408:11	348:16 370:20 374:14 383:12 384:16 387:14 388:15 403:4,7,10 403:14 404:13	46:6,19 298:4,6 301:11 326:9 329:23 333:14	273:17 274:11,17 274:18,19 275:2,10 276:9,14 277:6,10 277:14,15,18,22 278:5,5,16,17 279:8,17 280:15 281:7 282:5 286:14 298:3 304:11 306:19,22 307:12 309:23 310:1,5 314:11 323:14 326:6 338:22 341:17 346:18 347:14 352:18 354:11 355:21 373:15,18,19,20 379:3,15,17,18 381:6 400:9 402:16 422:13 423:5 426:3
invalidate 188:23	involvement	jo 376:7	jury 360:3
investigate 92:2,3,4 180:3 221:2 222:17 253:15 257:6 303:19 330:23	326:17	job 52:10 61:10 86:12,13,13 89:14 89:15,18,19,21 90:3,9 91:23 130:19 132:17 247:17 260:18 376:3,9	justification 246:22
investigated 60:12 103:17	involves 98:16 102:16 103:5 266:3	jobs 254:3	k
investigating 64:1 64:7	involving 173:12 174:17 175:4 177:2	ju 307:9 402:2	kay 260:4,14
investigation 55:4 61:13 62:4,15,19 63:6 64:16,20 65:1 65:4 80:20 89:11 89:20 91:21 97:15 102:23 162:11 164:15 165:14 167:11 170:5 180:12,15 238:10 257:15 294:10 325:9,18 326:16 327:21 328:9,12 329:1,8,17	irrelevant 222:15 337:17	judge 166:1 196:17 213:1 240:15 241:7 267:15 322:1 323:7 360:4 397:1 398:7	keep 120:22 121:3 253:7 371:9
investigator 70:11 236:20 314:7,8,13 314:14,17,20	issue 63:1 103:11 109:9 125:5 144:7 154:8 177:1 188:8 188:9,11,15 192:11 292:10 294:4 302:19 321:1 334:18 397:7	judged 116:17	keeping 243:1 392:4
invited 321:15	issued 43:4,5 130:13	judging 369:7 392:8	kept 350:15
involve 46:9	issues 28:19 124:19 124:22 125:3 177:1 234:5,8,9 267:7 388:20	judgment 75:19,21 155:7 164:23 166:6 202:8 213:14 248:7 286:8 294:7,9,20 294:21 323:1 392:10	key 205:20 278:2 323:16 422:9 423:12
involved 61:14 62:23 79:4 80:18 107:22 128:12 159:2 168:23 174:7 174:11 262:20,21 264:3 265:5,8 269:6 271:5 294:18 329:12,14,18 330:2 330:4,11 334:2	item 249:1	judgments 165:16	keys 205:3,7,10 257:12 278:20 284:7 292:11 303:5 303:6,16,16
	iterative 124:10	july 65:18 108:3,7 223:7 260:2 261:13 272:19 273:13 275:2 276:12 307:14	kind 45:7 57:15 60:22 65:11 71:8 79:14,19 94:7,12 96:5 144:4 178:21 181:10 222:10 325:9 331:23 340:5
	ivey 260:5		
	ivey's 260:15		
	j		
	j 2:7	jump 363:1	
	january 266:13 407:8 427:22	june 15:13 17:3 36:18 38:20 43:10 108:3 173:3 205:3 207:7 236:9,17 246:14 248:19 251:2 253:13 268:14 269:19 272:20 273:14,15	
	jared 2:7 9:19 383:6 384:6,12,16 384:17 385:12,14 385:19 386:1,7		
	jared's 383:8		
	jennifer 6:4,11 15:13 17:13 45:3		

[kind - leclair]

Page 453

356:1 395:4 396:17 398:16 412:9 kinds 182:10 knew 68:2 99:12 128:18 165:22 208:10 226:22 228:18 251:15 270:9 271:2 278:16 278:18,21 279:3,4 283:21 284:6 293:10 301:9 302:13 306:18,23 309:20 325:11 345:9 358:10 386:6 391:9 396:6 know 11:20 15:23 16:13 19:23 33:14 41:7 42:22,23 49:18 58:3 59:23 61:3 63:2 68:14,15 69:8,21 71:2,12,12 71:16 73:3,22 74:21 77:10 79:9 85:10 87:16,17 88:7,12,13 89:18 91:11,20 92:20,22 93:2,5,6,9,11,15 96:22 97:22 99:6 99:10 101:4,5 102:10,13 103:4 105:4,7 106:8,11 108:17 110:16 111:12 112:20,23 115:10 122:7 124:19 125:4,6,7 125:14 126:22 127:1,2,18 128:9 128:11,12,19 135:9 137:10 138:3,4 140:6,7 141:8,13 141:15 147:8,8	152:1,5 156:13 157:18,18 166:20 170:15 172:12 173:23,23 177:5 180:5 181:17,20,21 183:12 185:15 188:15 198:10,12 200:20,20 203:15 203:18,21 204:16 208:21 218:8,15 224:16,17 225:9 226:2,7,10,16,18 226:21 227:1 228:10 229:14,16 230:1,11,22 236:19 237:6,18,22 240:3 244:8 247:5,6,16 249:5 250:2 253:12 253:21 254:10,11 257:7,9 260:16 261:1 264:23 267:19 268:23 271:6 273:7 274:22 275:4 279:15 283:9 283:19,22,22 284:12 285:2,4,9 292:12,16,17,19,22 292:23 293:9,11,12 296:3 297:5 298:13 301:15 302:8 303:1 303:9 304:2 305:12 305:13 307:4 314:19,20 321:11 323:11,11 325:13 328:12,19 329:7,9 329:14 330:12,14 330:16,17 331:3,6 332:19 336:19 340:6,11,13,22 343:7 345:12 346:13 351:2	356:10,11 358:11 358:17,22 364:20 365:19 369:20 372:17 385:12 388:14,23 391:8,20 393:19,21 394:9,15 395:10,18,21 396:10 400:6,14 410:4 412:10 415:7 418:8,21 421:23 422:22 423:15,18 425:11,12,14,18 knowing 226:13 227:5 knowledge 17:5 72:6 138:9 145:2 188:4 279:20 281:20 293:13,22 293:22 304:6 334:23 known 69:18 236:7 303:11 knows 57:17 79:10 123:8 169:10 185:16 310:6 346:14 I I 2:7 lab 203:3,9,12 204:2,4,8,12,15 205:2 246:19 247:23 249:2,3,9 250:6,7 254:15 278:21 279:6 283:11 284:5,11,12 292:11 303:2,10 334:12 labs 204:16,22,23 205:1,8,9,13,21,23 206:3,5 230:4,5 250:2,3 381:16	lack 26:2 54:21 55:7,16 57:15 136:7 laid 90:18 language 85:3,17 144:1,2,3,4 large 74:17 77:13 427:22 laughter 385:17 law 232:11 331:22 lawsuit 251:5 265:11 266:17 331:9,9,11,12,18 331:21 333:16 351:14 418:17 419:6 422:1 lawsuits 327:7 lawyer 82:15 265:5 lawyers 265:8 lay 31:12 le 112:11 lead 238:17 239:8 304:22 305:9 leadership 79:11 leading 213:10 360:17 365:6 learn 33:10 learned 42:10,11 45:14 46:1 47:11 237:8 270:1 280:21 281:8 294:2 372:11 learning 269:22,23 270:12 leave 276:6 418:4 leaves 205:9 leaving 230:20 leclair 24:20 27:17 28:1,19 29:7 31:22 33:11 34:2 35:7 37:17 38:3 40:20 45:22 53:16,17
--	--	--	--

[leclair - looked]

Page 454

54:2,7,8 58:11 59:1 59:18,19 62:3 63:7 64:1,8,12,15,19,22 65:20 66:7,8 67:22 70:8 78:21 79:2,9 104:18,19 106:7 110:17 112:1 117:19 130:9 142:19 145:17 146:3 147:17 149:6 161:20 162:9 163:6 163:9 165:4 167:12 168:16 169:8 170:11 197:11,21 205:1 206:1 208:16 275:15 299:11 321:7 343:10 353:1 354:13 355:4 388:4 388:8 417:21 leclair's 21:5 27:22 37:7 44:7 276:4 282:23 321:14 lee 1:21 8:8 9:13 427:4 leeway 241:3 362:8 left 66:17 74:15 78:11 81:20 114:2 119:4 202:19 legal 73:18 246:23 249:6 266:3 267:10 267:11 418:7 length 316:7 lenient 267:3 letter 4:6,19 12:19 13:7 14:17 15:7,19 15:21 16:6,14,16 16:21 17:1 18:18 20:1 22:12 27:16 28:1 36:14,18 38:19 42:6,13,19 43:4,6,7,10,15 44:9	67:15 68:8 112:12 112:13 113:9 114:15,16 128:14 128:20 130:5,13,20 130:23 131:2,13,19 141:2 149:22,22 158:20,22,23 159:1 159:3 162:6 163:7 163:8 165:22 167:3 167:3 186:11 189:17 225:15 229:18 230:7 234:1 235:6,19 249:1,17 254:22 261:9,10 269:1,10,13,21 270:1,9 271:2,2,11 272:2 273:17 274:2 274:4,18 277:5,13 278:12 279:9 280:21 281:9,16 282:6,9,10 283:15 284:17 285:20 300:12,15,17 301:3 302:4 303:13 306:16,19,21 309:1 309:21 310:1,1,7,8 310:10,19,20 311:5 341:12 345:13,14 357:15,16 370:2 371:19 418:5 421:6 422:12,15,18 424:18 426:2 letters 15:1 19:20 44:4 54:9 64:23 309:15 letting 99:22 101:11,16,18 104:8 104:11,19,21 109:1 127:21 296:23 332:18 408:1	level 73:6 97:16 98:12,14,18 100:7 105:16 158:17 159:3,7 181:7 185:7 221:1,1 294:14 337:21 339:14 371:8,23 372:23 373:13 374:12 levels 97:14 98:17 221:12 256:1 294:13 liaison 258:22 libby 5:7 library 242:21 life 73:7,15 269:10 271:3 358:14 limit 134:4 line 27:11,13,21 31:18 33:11 34:12 35:17,18 36:12 146:21 192:17 202:23 218:22 240:7 259:5,11 281:6 349:11 367:18,22 368:1 389:1 lines 248:19 304:12 343:19 linguistically 31:1 link 325:8 lis 297:7 lisa 100:2,8 105:18 105:21 listen 191:13,23 295:23 297:6,11,13 323:20 358:9 368:22 369:2,18 listened 192:6 295:14,18 369:22	literature 50:11 litigation 189:9 418:3,15 421:8 425:19 little 74:22 110:13 182:17 254:23 286:21,23 287:1 304:18 316:19 319:21 location 383:20,20 logical 202:6 logically 391:23 long 25:21 42:7 151:22 167:3 271:9 304:8 311:8 373:10 423:5 longer 103:11 118:22 192:22 193:7 195:5 196:5 203:8 236:11 260:1 look 15:10 35:19 42:21 57:20 73:19 73:20 120:20 133:4 135:20 136:8 142:11 146:13 215:20 221:21 222:2 261:21 274:21 275:21 277:7 304:7 327:4 331:4 355:17 366:19 367:21 368:8,9 373:6,8 392:20 410:19 411:4 412:5,14 415:8,22 416:5,8 416:10,12,13,22,22 417:11 418:20 419:11 420:6 looked 132:11 133:2,3,6 341:15 372:15 410:22
--	--	---	---

[looked - media]

Page 455

416:3 looking 123:19 411:7 416:20 417:2 417:4 looks 72:23 loop 255:13 lose 225:20 289:11 lost 66:16 188:22 218:1 286:16 lot 79:18 113:3 180:1 193:13 197:17 208:6,11 209:22 214:11 222:20 230:1,2 236:3 241:2 248:2 270:12 288:8 292:19,22 293:13 293:22 301:11 339:21 396:16 loud 15:17 low 86:10 87:2 337:22 338:12 371:8,23 373:1,13 lunch 202:14 lunchtime 142:23 luoheng 5:3,12 6:14,22 46:6 165:5 177:6 206:22 207:1 207:11 209:7 246:17 271:18 295:12 339:4 340:22 383:1 385:10,11 387:18 388:8	major 50:10 maker 28:12 making 52:18 53:1 94:6 136:17 137:8 137:16 151:5 154:6 157:9 175:5 176:6 177:12 184:1 196:14 201:7 215:2 228:10,17 229:9 248:3 281:23 294:7 294:19 298:13 328:1 332:9,22 337:18 360:19 361:3,6 362:10 363:5,13 373:3,6 376:21 389:2 392:15 399:9,12,22 409:13 malconduct 331:2 man 88:2 286:22 manage 19:13 manages 13:9 mankey 70:12 91:14 386:22 388:15 395:19 397:12 manus 118:8 manuscript 116:17 116:19 117:1,1,6 118:6,9,18 120:7 123:8 124:5 march 215:1 216:17 266:18 420:10 421:4,14 425:4,16 427:17 marcy 370:22 marked 12:8,15 20:18 32:2 120:13 161:1 172:16 206:10 223:2 246:8 258:10 268:5 280:9	297:22 315:11 325:21 338:17 341:7 382:16 386:14 406:23 408:10 414:9 mask 300:7 412:8,9 413:15,22 master 50:14 master's 223:17 material 70:18 71:3 71:4 matter 9:5 10:9 43:1 70:3,16 71:3 101:19 115:21 143:1 145:12 146:2 146:3,10,11 148:17 148:17 151:6 157:20 162:2,22 163:21 164:6,7 166:7,18 167:7 187:9 220:20 221:19 293:23 314:10 330:5 370:20 374:20 379:20 387:14 427:11,14 matters 319:5 mature 286:22 mean 24:6,23 27:1 30:5 38:16 39:10 39:19 40:8 44:3 46:2 50:12 60:5 62:17 67:6 75:23 76:21 80:14 83:19 85:14,15,17 86:4 95:8 99:13 110:15 113:14,20 117:17 143:20 168:7 171:7 180:3 191:6,10,18 192:1,12 198:22 199:11 200:12	202:7 208:9 209:3 210:6,13 211:15 215:13 216:9 217:14 228:4 244:15 248:9 249:10,11 266:22 269:13,18 270:15 285:15 291:14 302:18 308:21 310:19 322:12 328:22 334:17 339:18,21 343:17 345:2 349:8 358:1 358:14,16 359:7,10 359:18,19 360:2 368:2 390:8 392:1 392:5 404:2,13 meaning 18:3 300:23 301:16 meaningful 94:16 means 23:3 29:1 53:11 92:21,23 93:2,15 117:15 134:5 190:5 191:1 191:10 201:6,21 247:2,4 248:12 263:9 270:19 301:2 301:20,21 302:10 302:19,21 306:7 331:21 360:8 377:14,23 393:23 395:19 423:16,18 meant 38:4,4 85:11 85:12 203:5 284:7 308:14 358:18 mechanical 211:14 mechanism 242:23 media 9:3 78:7 160:21 280:6 352:12
m			
mail 281:2 282:7 main 207:23 maintain 242:20 342:21 maintained 138:18			

[medical - naturally]

Page 456

medical 11:21	memory 151:10	355:7 386:20 389:7	260:8 387:23 389:8
meet 142:22 144:9	mentioned 21:13	minute 35:6 184:8	morning 115:3
374:20 376:20	133:20 217:2 250:1	184:9 316:20,22	188:17 277:22
meeting 17:15	314:18 345:3 388:2	317:2 318:5,5,20	293:10 341:20
106:13 146:23	mentioning 217:5	362:5,20 365:4	342:1,2
147:14,14 148:23	308:1 309:20	409:10,11	morris 5:23 6:5
151:14,19 157:19	mentions 308:3	minutes 76:6 160:3	272:6 280:15
162:23 199:8	326:11	160:3 185:23 192:2	304:10 308:8 309:7
200:13 201:4,20	mere 199:7	199:2,4 276:23	310:5 342:4,18
213:19 215:5 316:5	merit 331:5	295:20 297:15	347:21 348:6
317:8 321:15,17	message 27:12	352:2,4	motivation 170:4,7
339:6 341:19,23	143:5 298:23	misconduct 59:4	move 122:12
342:2 345:1,2	messages 176:14	64:7 101:1,10,14	177:11 192:15
346:4 347:21,22,23	185:9	101:15 102:1,18,18	203:18 320:19
348:3,4,5 349:4,12	met 106:14 108:2	161:14 162:9	417:1,7
351:8,11,23 383:5	157:19 163:19	163:11 164:3	moving 75:7
383:23 384:1,5,16	207:17 242:13,14	170:13 171:3	294:13 350:22
385:11 404:17	method 210:12	176:19 196:10	multiple 74:18,20
412:20,21,22 413:7	methodology	320:3,6 321:21	111:9 145:5
413:9	121:18	323:12 374:15	mumper 7:3
meetings 121:9	metrics 207:23	mishandling 327:1	murky 109:16
151:18,21 152:3,4	microfa 70:5	misinformation	n
198:2 199:12	middle 14:13 326:5	324:17 325:3	n 2:1 60:20,20
200:10 201:1,18	333:5 361:17 363:1	missing 323:16	178:16
211:18 278:3	364:9,14,17	mission 374:13	name 9:10,17,19,21
298:11 340:11	millar 2:7 9:19,20	misstep 269:10	11:5,6 43:1 79:17
385:7	383:6 384:6 385:12	mistake 269:12	89:4 91:13,16
meets 224:12	386:1,5	misunderstanding	110:12 131:23
member 173:20,22	millar's 384:13	255:22	190:19 223:14
193:8,10,15,23	million 151:7	moment 33:20	312:19,23 313:2
194:5 195:4 315:23	182:14	monday 142:23	344:20 383:11
375:21	mind 229:17	383:21,22	384:15,22,23
members 26:5	mine 37:7	monetary 427:15	386:20,22 391:9
46:18 54:23 134:13	minimum 117:8	money 151:7	names 174:20
134:19 137:6	118:19 224:12	182:14 214:9,11	353:7
192:20 193:5 201:5	mint 70:7 151:17	monitor 50:3	narrower 196:23
207:17 212:19,23	152:8 199:23 200:2	month 17:17 28:20	national 151:7
213:20 232:10	203:9 249:21	94:2,2 108:1	182:13 214:8,10,14
353:8 354:15,17	253:16 254:21,22	152:12 421:5	236:20 400:19
355:6 375:18 379:5	256:23 257:3	months 92:14 93:5	naturally 80:2
402:6	303:22 315:22	94:14 152:12 158:6	357:7,21 358:14

[ne - object]

Page 457

ne 135:5 near 60:13 necessarily 33:21 181:20 necessary 118:9 need 12:12 23:5 38:2,9 44:3 56:19 63:2 76:3 110:10 111:7 114:9 116:3 118:13,15,15 120:17 121:23 122:6 123:17 134:15 135:7 138:11 142:9 145:2 155:8 158:12 198:14 205:19,21 214:5 224:8,9,10 228:6 235:3 241:7 245:16 247:4,5 248:9 249:17 254:22 256:8 282:12 285:1 288:8 323:2 329:15 335:4 349:15 358:22 376:15 382:7 396:23 405:17 415:2,5,7,12 416:12,21 421:17 421:17 423:6,11,13 425:6 needed 30:2 61:3 96:4 189:1 203:17 247:15 270:19 284:2 329:14 339:23 405:9,14,16 426:3 needs 116:23 142:22 144:8 173:17 320:10 339:15,19	nefarious 391:5,7 negative 60:22 negatively 295:19 295:21 never 56:4 59:3 61:7 95:21,22 129:14 184:3 185:16 229:16 261:2,3 295:18 296:4,17 297:8 338:2,7 340:10 412:10 new 151:10 188:8 188:15 195:10 233:10,13 275:6 343:15 344:8 418:2 news 283:5 343:15 344:6,8 345:15,19 346:12,17,20,21 407:7 nobel 221:20 nods 20:8 47:4 85:22 111:5 173:4 235:19 250:10 261:14 272:7 279:2 280:17 286:18 308:9 315:6 316:1 353:22 354:3 356:3 384:4 418:18 nonrelevant 28:14 norm 19:22 norma 16:1 17:15 298:10 normally 267:9 northern 1:1 northwestern 212:4 notary 1:22 8:9 427:4,22 note 372:19	noted 305:6 notice 157:22 411:12 noticed 362:3 notification 43:12 43:14 44:12,14 47:7,15,18,22,23 48:11,15,18,20 61:16 67:13 235:14 236:1,2 347:17 354:12 notifications 308:15 notified 15:3,23 17:18 42:9,11 43:17,19 45:11 157:21 233:23 234:23 308:18 342:7 344:18 346:5 346:8,15 348:1 418:9 notifies 18:11,13 19:2,6,9 285:18 notify 13:15 17:20 18:16,20 45:6 224:18 226:12 233:22 344:23 346:3,7 notifying 130:20 298:16 november 419:14 420:4 421:21 423:4 425:16 nsf 59:7 70:11 237:7,8,13 326:11 326:17 327:3 329:12,17 330:3,22 number 9:7 12:6 12:18 20:16 21:14 31:21 35:20 48:23 57:21,22 78:15	120:15 142:11 160:21 161:3 172:18 183:19 202:19 206:8 208:1 222:23 246:10 249:20,22 258:8 268:3,10 274:7 277:8 280:6,11 297:20 315:8 325:23 338:15 341:9 352:12,16 355:18 382:17,21 386:12,17 407:2 408:12 409:2 414:11 o oaa 98:13 oakland 212:8 oath 34:3 39:2 427:11 ob 107:1 object 14:2 22:5 25:5 29:5,21 32:4 34:6 37:23 39:5,8 39:13 51:18 54:3 54:10 56:17 59:22 63:8 64:10 65:3,22 66:1 68:4 71:21 81:9 86:23 89:16 90:6 94:23 104:23 109:6 120:2 123:16 126:1 128:8 134:16 137:2 141:23 143:13 147:7 148:3 148:11 149:18 151:23 152:16 153:12 158:7 159:16 163:14 166:23 167:8,16 168:6,11,19 169:16 170:9,14 171:5
--	---	---	---

[object - online]

Page 458

172:10 174:15	67:14 107:4,10	officer 173:19	202:9 207:3 209:2
179:10 180:14	149:11,13 189:16	333:21 344:22	215:21 232:21
181:12 182:20	365:2 399:23 400:2	355:6	233:14 240:14,18
183:16 184:10,16	408:22 409:13	officers 205:3	241:21 246:2
186:23 187:12,21	415:7	257:12 278:1 286:1	248:13 249:19
191:9 193:18 194:4	objections 8:13	287:2 288:2 315:4	251:11,23 252:6,8
195:21 196:16	24:2 240:12 409:10	332:6 334:15	253:3 257:16,22
202:11 205:5	objective 73:11	346:18 376:10	275:23 277:1
208:20 212:17	75:16 169:1	380:4,8 381:22	279:23 284:3
216:4 217:16	objectivity 73:6	official 13:17 18:17	287:10 288:10
219:12 227:15	74:18 169:4	112:3 258:22	291:5,10,13 297:19
238:4 250:19 255:3	obligations 84:1	369:11 394:23	300:20 304:5 305:1
255:19 257:18	obliged 30:16	402:17	305:20 306:2,20
258:1 278:19	31:14 283:2	officially 163:10	310:12 314:4 321:6
279:19 281:18	observation 93:7	312:14 313:22	323:7 332:7 340:8
286:5 287:11,16	obvious 147:3,6	officials 186:17	342:10 344:9,20
288:5,15 290:18	149:3,5	208:7	346:10 347:11
291:23 294:1 296:6	obviously 59:2	oh 49:1 137:18	349:7 352:1,6
304:1 309:17 313:9	occasion 174:2	175:14 192:16	356:22 361:6
317:17 321:23	363:5	302:21 371:12	365:15,20 366:21
327:22 329:3	occasions 364:8	382:14 385:16	371:11 374:4 378:6
330:13 332:1	october 260:13	402:1,9	378:14,23 382:4,12
333:23 334:19	261:16	okada 68:11 356:6	386:5 391:2,6
336:8 337:11	offered 409:15,18	okay 10:2,18 13:3	392:20 395:6,12
348:15 350:11	413:1	21:6 31:15,20	396:18 399:6,8,14
365:7 372:7 375:12	office 44:16 60:10	34:19 37:15 53:1	402:17 405:23
379:23 392:7 394:5	62:22 63:5 98:13	57:20 58:19 59:15	406:2,8,16,21
394:19 395:7	100:21 102:22	61:6,15 64:4 66:23	407:7,15,20 409:23
398:19 399:22	161:12 163:3 173:8	67:4 76:7 78:1	411:16 415:16
400:10,16,23 401:6	174:9 176:23	83:16 98:9 111:3	417:9 419:16
406:1 408:23	207:19 211:3	118:23 125:10	424:15 425:22
409:19 415:11,12	219:15 223:21	129:21 130:2,3	426:9
415:13 419:1	224:5 226:15 228:6	136:5,9 137:4	olin 78:19,23 79:5
425:20,21	241:8 258:19,21	142:10 145:22,23	96:12 99:9,9 177:3
objected 67:16,17	260:4,15,18 261:4	146:6,12 154:19	177:4,7
364:20 409:20	261:8 265:22	159:23 160:16	once 13:23 103:10
objecting 63:15	267:15 268:13	165:19 166:20	103:18 207:18
68:2 69:6 94:19	293:19,20 298:17	172:6,9,13,14	236:10 269:16
objection 32:18	304:11 326:22	181:8 183:7 184:2	ones 50:3
35:10 36:4 39:17	344:7 370:18	189:15 191:15	online 132:13
57:4 63:17 64:2		192:15 193:11	133:3

[op - passed]

Page 459

op 31:5 50:21 open 231:2 opened 368:18 operate 49:16,16 49:23 53:7,19 72:3 72:9 129:5 138:19 140:2 178:1 242:18 330:15 operated 50:19,21 operates 51:12 72:7 139:12 operating 51:2,23 139:17 141:4,6,16 205:10 operation 65:8 277:23 278:6,17 operations 65:1 279:10 281:15,21 285:5,12 286:20 opinion 156:23 213:22 220:22 241:19 247:9 288:6 288:12 320:23 opinions 220:7 290:11 opportunity 97:13 145:17 opposite 221:17 opted 307:7 310:14 option 225:20 229:19 231:2 302:18 options 23:17 31:6 31:7,8 204:13 222:8 249:7 305:16 306:9 342:5,15 351:15 order 4:4 12:10,12 238:21 245:15,18 255:12 262:18 263:2,17,23 266:6	266:8,11,20 278:10 285:14 ordered 266:8 303:17 organized 209:23 organizer 384:1,1 ota 370:19,23 374:10,13,19 outcome 111:20 427:15 outlined 53:21 132:14 outside 81:21 266:20 294:5 296:10 324:1 ownership 231:18 <p style="text-align: center;">p</p> p 2:1,1 243:5,10,12 243:12,12,12,12,14 243:14,14,14,14 245:1 p.m. 17:4 142:20 147:17 326:7,20 352:19 370:15 383:22,23 420:5 426:13 pa 23:19 361:19 pagani 7:13 176:22 339:5 page 3:2,3,4,6,7,12 4:2 13:7 15:10 17:12 21:13 23:20 23:20 24:19 28:19 33:9 34:13,13,15 34:16 35:13,14,20 36:10,11 43:9 48:23 57:21,21 78:15 87:21 120:23 132:2 133:9,11 142:11,13,15 146:13 165:3	233:16 246:13 248:16 249:18 258:13 268:11 272:4 273:19 276:3 298:2 304:8 312:8 341:13 352:17 354:8 355:18,19 367:4 370:11 382:5 382:13,23 387:2 392:21 410:3 412:5 412:14 417:12 418:22 419:11 420:7 421:7,9,16 427:6 pages 21:7 33:2,4 133:13 268:11 382:22 386:17 427:5 pain 393:9 394:14 396:11,12,13 398:9 398:13 paper 318:21 319:20 papers 109:2 211:9 319:1,3,6,7,17 320:2 321:19 par 281:6 paradigm 77:10 paragraph 23:9,10 25:19,22 58:18 60:21,23 62:12 68:8 69:5 79:7,8 80:11,16,22,23 84:16,18,21 85:2,5 86:3 88:22 92:8,21 149:12,12 161:10 167:4 206:20 207:6 280:19 282:14 283:15 284:16 305:2,4,19,21 306:18 316:19	318:4 334:8 337:6 337:19 340:16 352:20 356:4,20,21 370:17 374:8 380:14,22 381:14 387:20 390:14 paralegal 384:20 parallel 18:6 41:3 parsing 396:15 part 8:17 15:14 19:16 26:19 28:12 28:13 32:22 35:7 49:14 67:21,23 73:21 79:15 92:22 93:15 98:9,14,22 114:1 133:16 147:1 149:1 176:10 177:5 177:23 200:5,6 202:22 207:4 208:3 273:11 279:6 292:21 303:9 337:10 340:9 341:15 357:17 361:5 362:11 368:23 381:3 383:14 388:10,12 389:4 392:14 393:9 397:9 419:15 particle 56:10 136:11 particular 33:13,20 parties 8:4 parts 29:17 30:18 263:7 317:9 party 427:14 pass 118:16 242:1,6 242:8,23 243:3 244:19,21 245:2 passed 115:12,14 116:2 127:10,11
---	--	--	---

[passes - pinkert]

Page 460

passes 243:5	356:13,13,18 357:3	ph.d. 1:11 3:9	234:10 251:16
patents 231:19,20	357:9,17 359:1	10:21 50:11,12,14	259:15 268:17
patrick 31:22	360:2,5,14 373:2	65:9 66:16 120:5	270:23 272:18
36:14 45:22 60:16	387:13 389:21,21	180:4 181:9 182:2	273:12,22 275:15
63:7 79:11 117:19	390:5,5 398:12	182:8,8,12 183:8	285:19 288:16
161:19 162:8 163:9	400:15 401:16	200:2,14,23 201:4	291:3,7 305:8
165:4 167:11	402:7 403:23	229:21 230:4 232:1	374:17 381:8
197:20 205:1	413:11	237:12 291:18	picking 32:21
206:21 209:4	perceives 184:22	304:22 305:10	picture 87:10,11,13
275:15 385:12	percent 120:5	396:5	87:18,20 88:1
387:18 388:8	perfectly 405:21	phone 234:3	91:15 92:10 96:18
paulo 7:8	period 93:9 266:12	338:23 350:16	109:11,14,15,17
pay 23:5 25:1 187:7	266:19 303:13	383:19 385:9	365:17 387:5,13,19
187:8 349:23	permission 310:8	photograph 354:14	387:21,22 388:5,6
paying 219:22	421:18	phrase 31:17 283:1	388:10 390:21
pdf 208:13 383:10	permits 419:20,22	283:2 299:15	391:3,16,21 392:2
384:20 385:4	420:20,21	physicists 56:10,10	392:4 393:20,22
peo 136:16	permitted 424:19	136:11	394:3 398:5 410:3
people 24:6 56:7,12	person 19:17 24:16	physics 4:16 13:20	410:6,8 411:2,3,4
66:18 68:9,12,17	26:23 46:2 53:1	14:17,19 18:20	411:11,12,15,21,22
68:18,23 69:7,16	70:23 73:22 86:1,5	19:20 20:1 23:2	412:1,2,2,7,16
69:20 70:15,22	86:6,21 89:11	26:6,13,14 28:8,10	413:14
71:10,15 74:19	98:18 104:16	36:19 38:21 40:3,4	pictures 93:12
79:12,16,18,22	105:11,17 117:23	40:11 43:13 44:2	386:18 398:23
83:13 86:18 87:3	118:3 129:18	44:12,15 45:5,8,9	piece 92:10 103:10
92:1 100:7 110:13	148:21 158:19	46:17,22 47:8,10	275:6 301:4 323:16
112:1,2,2 115:21	180:4 185:15 186:9	49:21 50:8 51:4,8	pieces 32:7 248:1,2
115:22 117:6	186:9 187:5 190:10	51:15 52:14 61:17	270:10 271:22
136:16 137:15	203:14 218:8	62:5 67:13 70:3,9	302:6
146:4 147:18	242:11 259:13	70:16 76:13 93:23	pile 405:6
148:19 159:2	314:23 334:23	101:8 104:7,16,17	pinkert 4:20 59:17
165:17 186:19	342:17 345:18	116:9 117:16 120:1	62:5 63:23 64:15
187:7,7,9,11	360:4 364:6 366:19	127:15 132:10,11	64:20 65:1,4 162:7
189:17 190:3,11	373:16 391:14,19	139:9,12 140:11	163:4 171:4 237:14
202:4 213:15 217:8	394:2 407:13,17	141:12 142:3 148:9	237:18,21 238:6,9
218:7 223:10 224:5	410:6,9 412:3	150:16,19,22	239:7,15 253:15
224:17 230:9,13	personal 71:14	151:16 152:9	257:14 303:19
231:3,4 233:11	personality 79:15	162:21 169:9	325:7,16 326:15
315:4,21 317:22	perspective 73:14	171:23 199:22	327:16,20 328:5,23
331:10,12 336:4	97:13 157:7 324:19	203:19,20 225:5	328:23 329:21
338:21 356:1,5,8	371:4	227:7 228:14,19	408:5

[pinkert's - president]

Page 461

pinkert's 239:22 241:6 329:13 place 8:7 15:19 268:21 294:11 363:19 398:11 427:7 placed 39:12 371:8 427:10 places 19:7 plagiarism 59:1,7 59:18 60:5 161:17 161:22 plagiarized 64:9,14 plaintiff 1:4 2:2 9:22 266:14 plaintiff's 4:3 12:7 12:14 20:17 32:1 120:12 160:23 172:15 206:9 223:1 239:3 246:7 258:9 268:4 280:8 297:21 315:10 325:20 338:16 341:6 382:15 386:13 406:22 408:9 414:8 plan 349:21 plausible 169:11 pleading 369:7 please 10:1 11:5,8 13:6 15:12 17:11 25:20 45:17,18 49:3 57:20 58:1,5,8 58:13 68:7 72:12 79:8 83:2 84:10 92:6 97:2,7 106:23 107:9 110:12 120:15 125:2 126:21,23 127:1 128:5 131:8 135:13 137:22 138:1 142:11,13,18	146:18,20 154:9 161:9 162:13 173:5 175:2 176:9 192:18 194:13 199:2 202:21 203:4 206:19 207:10 225:1,8,10 233:18 234:7 240:19 241:23 246:16 247:1 248:20 249:14 258:16 259:4,18 268:15 272:8 277:7 280:18 282:13 284:15 285:2 297:12 298:5 304:13 305:3,11,17 312:10 315:13 316:2,21 318:3,18 321:9 326:7,18 339:3,17 341:18 342:10 347:2 352:19 355:17 363:6,12,13 364:4 364:13 366:22,23 367:19 370:16 373:8 374:6,21 382:22 392:20 393:7 411:19 416:8 417:11,17,22 418:20 420:2,6,11 point 16:11 35:22 44:5 55:18,20 64:8 72:21 98:23 103:9 113:1 122:3 127:13 134:17 180:11 195:7 200:21 204:14 221:5,18 229:9 231:13,15 239:19 243:17 245:7 249:7 253:4 253:8 269:18	275:10 286:13,19 289:15,16,19,21 294:19 324:10,13 349:5,8 366:5 374:6 397:15 404:22 423:12 424:5 pointed 354:22 379:10 385:23 pointing 365:9 366:9 points 381:13,13,15 pol 376:17 police 64:23 65:8 86:20 173:19 205:2 256:15,21 257:11 277:23 278:1,6,14 278:17 279:10,20 281:14,21 285:5,11 286:1,9,20 287:2 288:2,17 312:20 313:1 314:12 332:5 333:9,11,21 334:5 334:11,14 344:22 346:3,18 347:18 375:14 376:10 377:20,23 379:20 380:4,8 381:5,21 policies 374:16 376:17,19 377:2,2 377:13 378:8 381:7 policy 137:21 portion 250:14 position 11:9,14 16:15 36:15 37:20 40:2,6 64:17 70:14 121:16 148:4 150:11 196:15 203:8 251:3,10 285:10,16	positive 60:22 68:19 227:12 356:14 possibility 86:22 possible 156:5 193:10 244:3 269:19 270:16,18 278:12 285:21 363:6 possibly 88:6 164:7 204:14 345:9 poster 389:5 395:2 posters 211:6 395:4 postpone 83:18 potentially 119:14 power 53:5 427:12 powerpoints 211:19 pr 367:19 practice 137:21 141:17 152:18 pre 27:20 183:9 preaching 220:5 preempt 266:9 prefer 10:14 preliminary 214:20 present 2:11 87:8 397:8,9 presented 4:10 92:16 93:13 211:7 211:20 presenting 31:9 220:14 392:9 presents 102:2 124:12 president 6:7 59:17 60:6,15 62:4 63:5 64:6 163:3,3 171:4 176:17 179:12,19 179:22 180:2,7,8 180:23 181:10
--	---	--	--

[president - professor]

Page 462

182:1,16 183:9,14 184:6,7 185:4,8,21 186:15 187:17 189:3 190:4,22 191:13 192:5 217:7 218:10 253:13,15 253:18 255:11 256:2 257:4,4,5,13 303:17,18 315:21 327:15 404:18 president's 58:7,22 181:7 prevent 419:19 420:18 421:20 422:11 424:9 previous 16:7 24:19 99:18 115:20 273:18 305:18 309:15 372:2 previously 80:13 186:6 368:14 414:5 primary 196:13 418:10 principal 70:10 236:20 prior 117:2 140:5 419:17 420:16 421:15,19 424:12 prioritize 230:10 priority 230:12 privilege 262:4 265:17,18,20 266:10 privileged 262:2,5 262:20,23 263:8,19 263:20 264:6 265:2 265:9 266:23 267:12,23 prize 221:20 pro 2:3 57:8 108:11 108:19 208:9	probably 32:21 43:21 46:21 79:9 180:10 184:7 231:6 256:12 264:18 297:10 330:18 392:2,19 394:1 401:20 problem 39:18 46:4 56:5 71:14 87:4 108:19 128:22 160:16 165:19 233:15 253:9 312:6 375:7 376:14,16 393:14,18 396:18 398:8 423:6,7 problems 375:15 376:11 377:22 procedure 51:16 94:20 98:10,22 99:4,7 101:19 102:6,13,14 104:3 104:5,15,21 105:3 105:6,13,22 106:8 108:10,22 109:5,12 109:21 110:2,4 111:16,22 112:14 112:19,21 113:5,17 127:20 128:2,5 135:21 141:4,6,11 141:17 149:16 159:14 186:7,20 187:3,5 189:18,21 190:4,5,12,18 191:6 194:8,10 235:18,21,23 237:22 238:2,5 241:5 255:15 256:7 289:14 290:17 291:21 292:2 296:17,22 319:6 338:5 370:4,5	371:21 375:3,4,6 375:11,20 376:11 376:15 407:12,17 408:8 procedures 24:9 129:16,19 180:6 186:17 190:13,17 239:10,14,21 287:14 288:2 407:10 proceed 16:2 103:18 118:2 124:1 124:1,4 249:5 317:22 proceeding 317:20 proceedings 241:11 427:15 process 17:6 19:14 43:2 51:20 52:1,8 53:23 90:8,12,14 90:15 96:11,17,20 97:11,17,19 98:1,5 98:15,16,20 100:9 100:21 102:21 103:4,9,12,14,18 112:18 113:6 119:4 124:10 128:10 130:12 144:15 169:3 180:20 181:3 181:4 183:1 184:21 185:1,5,11,17 186:4 188:12,20,22 189:1,4,9 192:5,7,9 192:13 216:19 217:1,3,8,21 218:2 219:6 221:1,4,6,16 221:17,22 222:1,6 222:10,18 224:20 238:11 241:5 253:2 255:5,7,8 256:3,3 289:1,2,7,12,23	290:1,6,8 291:1 292:13 293:6,7 294:3,5,8,23 295:2 295:7,8 296:8,9,11 296:15,15 301:4 302:6 324:1,2,7,9 324:23 330:18 331:4 369:15,23 375:23 377:4 397:9 405:8 processes 16:9 18:7 189:11,13 224:2 301:23 401:17 processors 403:2 proctor's 241:7 267:15 produce 201:16 263:6,21,23 264:5 265:9 383:11 418:4 produced 12:20 21:13 24:5 59:13 214:12 262:15,17 262:22 263:17 265:3,5 267:2 340:20 385:4 producing 263:9 267:8 268:2 production 7:2 15:11 266:15 383:14 387:4 productions 41:17 productive 198:16 198:17 prof 186:14 professional 230:11 professionally 175:12 professor 90:2,5 91:9 164:14 169:10 195:13 200:14
--	--	--	--

[professor - put]

Page 463

217:10 218:18 236:17 243:22,23 375:5,8,9 386:21 392:1 394:13 397:12 398:9 400:18 professors 65:8,16 69:18 90:3,8 93:21 99:22 151:14,15,20 152:13 153:22 155:5 186:14 198:4 198:11 199:9 201:10,23 202:1 204:20,22 205:11 213:8 219:17 230:2 257:11,15 321:17 372:4,12 377:7,7 385:8 398:7 400:7 402:21,23 405:13 405:17 profile 411:21 412:2,7,16 413:14 program 15:6 17:18,21 19:10 26:15 28:11 36:20 38:21 52:13 66:17 96:7 103:13 128:17 139:5,13 225:5,8 225:17,23 226:2,17 227:7,8 229:13,20 230:8,13 233:10,13 233:13 234:11,19 236:11 268:18 273:23 275:15 282:21 283:8 292:14 293:4 304:17,23 305:8,10 305:15 343:11 353:2 376:23 424:23	programs 13:11,12 49:15,16 138:17 175:4 223:12,15,16 223:17,18 242:18 progress 26:2 50:4 54:21 55:7,17,17 56:1,2 57:9,16,18 57:18 72:14,22,23 73:16 74:11,12,12 75:3,4 77:16 121:5 123:12 130:15,16 133:18 134:1,5,8 136:3,7,8,18 137:9 137:17 138:16,17 140:17 142:7 150:5 150:9,12,13,14 151:3,5,21 152:6 152:12,14 153:16 154:6 156:9,15 157:9,13,16 159:5 169:21 170:21 171:13 195:23 196:8,14,18 197:8 197:8 198:11,13 199:17,19 200:4,7 200:9,11,12,17,19 200:21 201:2,8,11 201:12 203:11 209:16,17,21 210:3 210:15 211:5 212:20,21 213:1,16 213:17 214:20 215:3 216:20,21 218:13,22 219:16 226:5 232:1,7 237:12 246:21 247:7 292:15 376:21 progressed 215:3 216:17	progressing 197:1 198:17,18 project 70:11 111:9 192:23 193:7 400:20 prompted 273:8,10 proof 296:20 297:3 proper 322:14 property 100:1,16 100:20 101:13,15 102:19 103:7 104:10 109:9 238:22 proposal 242:5 proposed 242:4 prosecuted 232:10 protect 329:21 protected 238:22 prove 59:6 190:20 296:14 318:15 341:2 406:12 proved 232:19 proven 233:8 proves 164:2 provide 108:12,18 111:7 117:5 162:5 194:13 297:17 337:9 provided 161:16,21 171:3 217:23 218:3 218:6,8 296:5 374:9 provides 410:17 providing 228:12 328:22 335:19 336:2 337:13 proving 187:2 provost 11:11 176:17 179:23 180:2 183:10,11 185:8 186:14 208:7	208:8,15 211:2,3 211:12,14 215:17 217:7 218:10 253:14,19,20,22 254:12 257:5 273:1 273:5 295:16 296:14 297:2 303:18 315:21 403:10,12,17 404:18 405:1 provost's 219:15 293:19 ps 245:6 public 1:22 8:9 427:4,22 publication 317:2 317:13 319:15 publications 208:1 publish 109:1 320:2 321:19 publishable 321:10 pulled 355:12 punishment 29:3 pure 406:10 purely 103:4 385:2 purpose 190:8 225:11 228:2 242:19 purposes 419:23 420:22 pursuant 8:10 263:16 pursuing 284:14 purview 222:3 pushing 292:4 334:13 put 15:20 16:12 19:14 39:16 104:6 104:8 130:19 150:10 183:3 184:7 214:12 291:18
--	---	---	--

[put - read]

Page 464

302:2 365:1 383:10 384:19,21 385:4 391:8,8 puts 271:21 putting 32:18 63:17 64:2 270:6 422:17,19	199:7 203:6,11,14 208:22 209:2,4,7 212:16 215:16 217:5,9 229:12,16 233:7 238:16 241:14 245:22 247:22 248:8 250:2 256:11 257:19 261:15 270:3,14 287:6 291:12,15,16 300:10 309:12 311:13,23 325:5 328:4,14,15 332:15 332:16,20,21,21 333:4 334:22 335:2 337:17 344:15 345:21 346:1,2 347:3,10 355:10,13 360:18 361:5 362:6 362:7,9,13,15,16 363:3,8,9,10 364:2 365:1,6 370:6 372:22 375:16,17 377:16,19 378:22 378:22 381:17,18 390:6 392:16 397:20 399:4,10 400:1 409:8,12,21 411:11 413:6 414:22 416:9,9,16 416:21 417:6,7 419:8 423:1 425:8 questioning 240:7 260:22 questions 8:14 11:20 67:9 75:1 98:2 107:6 114:13 125:21 126:11,20 154:14 155:4 158:16,21 159:10 159:11 197:4 204:2	211:21 220:5,11 233:1,1 237:1 240:20 241:3,20 256:17 276:19 324:14 353:17 358:8 361:21,22 362:4 363:21,23 374:12,22 376:1,2 387:1 399:20 407:21 408:7 409:2 409:7,22 415:15 416:4 427:11 quickly 147:3,5 149:3,4 quietly 364:21 quite 42:8 50:20 102:9 147:9 292:19 292:22 293:13,22 359:14 396:16 quotations 332:4 quote 326:11,13 353:13 354:23 355:1 quoted 136:6 357:15 380:15 quoting 354:5	394:23 402:17 rare 57:7 rational 349:19 rationale 208:9 249:2,15,15,20 250:8 252:4 322:6 rdp 1:5 9:8 reach 13:23 64:20 182:1,19 185:19 281:10 296:18 297:1 325:8 333:19 374:5 reached 68:4 113:8 177:3,4 183:8,9,13 258:21 reaches 68:5 reaching 176:16 180:7 181:9 182:16 184:6 339:13 read 15:12,14 17:12 24:20 25:20 27:16 33:10 34:12 35:18 36:11 51:22 55:4 58:3,8,16 60:16,19 61:22 62:13 67:4,21,22 68:7 79:6,6,8 80:5 84:18,22 85:7,8 86:3 92:8 132:8 142:18 143:20,23 146:16,20 149:11 157:20 161:9 163:20 176:9 178:13 192:18,23 196:9 202:21,22 206:19 207:3 225:1 233:18 246:16 248:20 259:4 260:17 268:15 272:8 280:18 281:6 282:13 284:15
q qualification 56:8 qualifications 69:20 qualify 71:18 quality 118:2 122:8 122:11,14,18,21 123:6,11,14,23 211:13 que 25:6 196:20 335:2 quest 377:20 question 38:12 45:10 63:10,14 66:20 67:7 73:16 73:23 74:11 83:21 86:16 91:2 97:10 98:21 101:3,6,20 103:2,15 107:11 111:14 114:10 125:13,19 126:16 126:21 129:6 135:18,19 136:21 136:23 137:13 138:9 139:18 142:8 143:14 153:14,14 155:12 160:13 163:16 169:8 172:12 188:16 191:2,16,21 192:17 193:8 194:20 195:2 195:8,12,22 196:20 197:2,5,7,9,10,13 197:16,18 198:19		r r 2:1 r.b. 5:16 258:23 259:2,6,12,16,21 262:16 ra 366:4 raise 10:3 372:22 raised 188:10,17 366:4 raising 188:16 range 406:6,7,9 rank 101:7 104:16 105:6 115:22 200:14 201:5,8,23 202:1 230:1,3	

[read - referencing]

Page 465

293:16,18 298:5	reason 54:7 73:1	receiving 216:11	66:22 78:4,7
299:5,9 300:20	103:22 122:17	336:3	160:18,22 202:13
304:13 305:3,18	134:2 165:21	recognize 88:14	202:16 214:1 217:7
308:21 312:11	170:11 177:16	recognized 398:17	238:4 270:7 280:3
313:16 314:4 316:2	181:3 196:7,14	recognizing 165:1	280:7 306:1 325:3
318:3,18 326:8,19	204:19 269:4	recollection 44:19	352:9,13 365:2
339:3 341:18	271:23 295:22	44:22 244:12	366:3 394:3 399:7
343:20 349:12	299:7 327:9,23	recom 146:8	399:12,16 404:7
352:19 357:14	342:19 353:10	recommend 26:11	408:1 422:18 426:8
358:12 359:21	374:11 375:19	30:21 300:1	426:11
367:9,11,12 368:17	384:22 394:10	recommendation	recorded 9:4
369:12 370:16	409:16	4:11 14:11 20:12	186:12 215:12,15
372:2 373:23 374:7	reasonably 239:7	20:14 21:9 23:13	217:6 241:10
380:10,13 383:16	reasons 80:1 147:2	23:15,22 24:3,11	295:15 312:5
391:11 393:7	147:5 149:2,4	24:13,21 25:2,12	324:21 365:16,17
417:17 419:14	239:2,6 242:7	25:16,17 26:21	404:8,15
420:2,11 421:9	357:6,20	27:1,2 28:4,5 29:4	recording 112:11
reading 8:11 16:3	rec 219:5	29:8,13 30:16,18	187:17 190:2,9
18:2 85:20 312:12	receipt 47:17,21	30:23 31:1,3,5,11	recordings 368:21
327:11 358:20	receive 14:17 19:19	31:13,14 40:17,21	368:23
369:8 371:10	20:6 26:12 28:7	48:22 52:18,21	records 15:22
readmission	33:18,23 41:16	53:2,3,5 61:19	219:19
420:16 421:15,17	89:23 185:9 243:21	65:20 66:4 67:15	recourse 118:5
422:22	260:7 282:10 300:2	67:18 69:19 71:17	recuse 170:3
reads 123:22	306:20 307:1 325:6	71:19 77:16 90:16	redact 264:1
266:12 273:21	330:15 350:18	93:23 94:1 130:10	redacted 263:18
356:5	received 20:1 43:12	146:8 147:13,20	reduced 427:8
ready 7:4 101:16	44:8,11 47:7,15	164:11 166:9,10	reference 140:16
108:23 116:1	48:7 51:20 58:10	167:22 169:13	147:21 251:20
134:10	59:11,14 60:2	189:16 227:12,17	326:17 353:3
realize 233:11	61:11,16 67:12,18	283:3 293:2 299:14	354:21 379:9
343:14 411:1	78:21 114:16 130:8	299:21,22,23 300:3	referenced 18:6
realized 299:3	132:8 196:3 219:9	300:6,9 353:4,5,9	51:21 132:9 225:4
345:13	260:4 261:17	354:16 413:12	267:5 299:13
really 31:16 264:22	263:16 273:3 281:3	recommendations	355:13 380:22
281:20 288:7 303:9	281:4 282:6,9	24:15 26:22 29:9	references 23:14
304:2 329:16 343:1	283:17 284:19	30:20 227:23	30:17 48:4 357:9
reaper 88:5 94:10	285:8,19 312:5	recommended	referencing 27:19
387:23 388:13	316:9 345:13	23:16	55:1 146:9 211:1
389:6 390:1 398:10	354:10 369:10	record 8:6 9:2	249:16 274:1 373:5
398:15 414:4	417:15	16:12 63:18 64:2	

[referred - research]

Page 466

referred 312:22 313:5 referring 346:21 346:22 refre 220:17 regard 180:1,12,16 325:7 401:14 regarding 4:10 326:9 371:2 374:12 regards 374:23 register 23:4 270:5 420:14 424:19 registered 268:23 registrar 16:8 245:22 268:13 419:14 420:10 421:13 422:4,23 423:16 424:2 registration 13:9 13:18 15:20 16:22 19:8,12,13,15 42:14 130:19 268:21 280:23 302:3 419:18,19,21 419:22,23 420:12 420:13,17,18,20,21 420:22 421:16,19 421:21 422:11 424:9,12 regular 281:2 298:11 regularly 121:4 regulatory 370:22 reinstate 273:1,6 reiterate 343:11 353:1 reject 24:14 252:12 rejected 214:16 318:21 319:4,15,23 321:14	rejecting 252:7 relate 174:12 237:2 238:21 401:11 related 133:6 162:2 171:12 203:7 209:12 239:23 241:14 256:17,18 256:20 258:18 260:9,18 263:15 267:7 279:10 311:5 334:11 348:17 368:19 388:17 392:3 393:16 414:3 427:14 relates 138:10 144:13,15 232:1 240:10 355:7 397:11 relation 354:11 398:6 relationship 38:6 relevance 93:17 relevant 196:19 207:20 234:21 239:16 241:16 368:20 reliable 148:10 relied 218:17 relieved 86:11 rely 148:10 213:8 remember 18:19 41:7,8,14 42:3 43:18 45:2 46:5 80:11,15,16,21,22 84:16,17 99:11,12 109:3 133:8 143:7 149:17 174:8,16 175:3,7 177:2,5,7 223:22 247:19 254:16,17,19 260:16,20,23 261:8	262:10,13 264:12 264:17 272:12 273:8,10 279:4 307:6 332:10 333:10 340:15,16 343:12 351:18 368:10,17,18 369:6 388:7 remembering 261:20,22 reminds 318:20 remove 28:15 52:13 removed 73:12 74:9 139:6 147:9 169:19 removing 25:3 repeat 137:19 175:2 299:11 345:23 repeated 176:18 repeating 115:6,8 232:3 324:10 repeats 317:3 replaced 408:5 replacement 237:23 238:6,11 239:6,15,22 replied 95:19 reply 78:20 95:16 report 48:5 58:7,23 58:23 59:3,3,19 60:8 61:3,4,8,8 114:19 211:11 215:8,13,15 223:13 247:20 254:20 256:15 276:4 317:4 327:2 reported 1:20 106:3 254:4,9,14 257:3 355:5 404:17	reporter 1:22 8:9 9:13 10:1,2,6,13,18 10:20 83:12,16 426:6 427:4,20 reporting 1:22 9:12 9:14 86:17 193:3 256:21 reports 211:10,11 211:12 213:23 214:7,7 represent 9:16 336:16 representation 323:5 representative 77:15 represented 334:7 390:17 representing 337:6 410:14 request 242:5 266:15 370:20 requested 127:9 166:10 266:14 requesting 128:5 require 121:21 129:7 420:16 421:15 required 22:17,18 384:2 requirement 133:23,23 420:15 requirements 224:13 requires 138:8 res 193:6 research 7:4 26:3 52:11 54:21 55:8 56:9,12 59:4 60:11 62:23 64:7 68:14 69:14,22 100:22
---	--	---	---

[research - sanjoy]

Page 467

102:18,23 109:8 115:16 120:4 121:5 127:12 133:19,22 134:1,9 136:19 161:13 192:22 193:6 204:11 207:15,19 209:14 209:17,19 211:13 214:19 242:16 244:4 245:13,15 246:21 249:10,23 250:5 284:14 317:20,23 318:9,13 355:8 356:9 368:19 393:13 reserved 8:16 residence 278:7 279:17 332:6 resident 279:16 resolution 113:8 resolved 103:19 181:6 respect 202:8 respective 8:5 respond 83:10 98:1 184:8 263:10 responded 176:14 178:18 265:2,4,7 responding 344:4 response 48:16 61:14 175:16 222:5 265:7 363:3 responsibilities 248:5 responsibility 49:11 63:4 81:1 236:10 237:3,10,11 335:6 374:14 401:12 responsible 79:23 354:23 357:5,19	359:2,8,9,17,19 360:6 379:11 389:22 responsiveness 8:15 rest 68:23 76:3 192:23 337:16 356:18 374:7 425:13 result 36:20 64:21 65:7 66:15 121:6 125:18 201:15 211:13 226:12 230:6 235:17 236:12 355:4 385:2 results 19:11 201:17 212:2,6 214:12 318:10 retired 158:9 retirement 65:17 return 303:15,16 review 133:17 134:3 162:4 261:21 268:20 371:5 385:2 414:16,22 415:1,3 415:3,5 reviewed 40:15 131:13 161:15 384:18 412:23 414:18,19 reviewing 72:14 413:9 reviews 13:2,4 21:1 49:1 58:6 72:15 120:21 131:16 132:4 133:10 142:12 146:19 161:5 172:23 206:16 223:3,4 246:11 249:19 258:11 268:8 276:1	280:12 297:23 315:9 316:16 326:1 338:18 341:10 355:20 367:8 371:17 382:6,19 386:15 393:3 407:6 408:15 410:10 414:14 reward 393:10 right 10:3 17:7,10 25:8 32:10 33:3 50:15 51:16 52:4 55:23 81:5 92:17 93:14 97:14,14,15 106:19 109:5,11 114:21 115:1 125:16,22 127:5,23 128:7 130:11,17 131:23 132:16 136:9 138:13 141:16 142:4 143:16 145:13 154:15 163:17 164:4,8,12 169:17 178:7,10 184:13 188:14 194:8 203:14 205:18 212:9 218:11 222:6 231:23 236:12 249:4,21 250:3,6 251:22 252:10 271:12 272:11,20 273:17 275:18 281:12 285:1 289:16 306:11,19 314:2 324:12 335:1 335:22 344:5 347:16 350:8,14 356:20 360:16 361:11,13,19,21 373:23 383:17	385:20 386:2 404:20 409:9,19 411:5 412:3 415:13 415:22 425:5 rigor 138:18 rings 338:23 risk 371:6 374:11 riverside 2:4 road 192:2 294:22 robe 88:2 robert 78:19,23 79:5 96:12 99:9 role 51:19 150:3 216:6 218:19,20 221:3 222:1 295:1 295:3 room 1:13 76:4 152:23 rose 2:8 rotate 366:12,16 roughly 242:13 rubric 74:5 rude 187:4 rule 52:22 232:11 331:22 rules 8:10 24:8 run 298:10 s s 2:1 4:1 62:8 90:7 129:10 144:7 229:10 287:18 335:4 398:1 421:6 425:1 sa 84:7 152:21 sample 339:23 340:1,2 san 158:4 sand 389:10 390:1 398:14 sanjoy 70:10 158:4 236:23 321:16
---	--	--	---

[sar - send]

Page 468

sar 158:4	schedule 116:11	search 285:13	392:22 393:4 395:1
sarker 70:10 158:4	117:3 118:16	397:3	400:4 407:3 410:12
236:23 321:16	279:16	second 12:17 28:9	411:1,14 413:5
satisfactory 56:3	scheduled 117:12	28:12,16 30:1 68:7	419:17 421:18
74:12	119:15 127:14	79:7 100:5 122:20	422:20 423:6
satisfied 122:10	345:1,1,2 346:4	123:2,3,5 150:3	424:11
157:12	347:21 348:6	190:1 200:6 210:10	seeing 38:14 67:12
satisfy 196:4 202:3	scheduling 238:21	220:21 232:6	164:21 165:2
saw 43:3 77:9	school 11:12 13:8	282:14 319:19,19	197:12 353:13
81:20,21 209:18	13:16,16,20 14:9	327:1 356:4 419:11	354:1 355:14
247:20 261:8,11	14:10,18,21,23	seconds 365:4	seeking 266:3
373:7 395:15	15:7 17:17,20,21	section 115:20	267:11 273:1
saying 38:17,18	17:22 18:11,17,21	133:6	seen 20:9,11 23:23
62:9 63:22 66:19	19:7,9,12,21 36:21	see 12:21 15:5 17:3	60:8 61:8 80:8
69:7,12,12 74:6,8	38:8 40:9,13 43:11	19:17 20:19 30:10	123:1 139:11 143:4
84:2 96:8 102:4,8	44:11 47:6,10	30:20 37:17 46:7	157:1 164:22 177:8
154:4 167:6 171:15	70:23 119:17	46:15 48:8,14,21	210:22 271:16
188:21 227:18	159:15 197:6 224:4	51:7,15 53:3 55:16	315:17 387:4,5,9
234:22 250:4,7	224:22 280:22	61:1 62:7 80:3 81:3	393:2 403:16 409:6
262:3 264:13	284:17 308:18	84:21 85:1 87:10	412:10
274:17 278:11	424:22	87:11 91:15 103:19	sees 55:17 156:14
283:9 299:13	science 71:3,4 79:1	122:6,7 124:18	326:22
304:21 307:22	94:4 151:8 178:7	132:21 139:16	seldom 55:12,19
343:7,13 344:5	179:7 182:13	156:16 157:6 161:4	156:8,11
349:2 370:4 377:13	186:11 214:8,10,14	167:2 172:19 174:1	selec 239:22
379:4 389:20 408:4	230:19 236:21	175:9 176:5 196:12	selected 407:13
says 18:14 20:13	400:20 404:1	201:11,20 204:9	selecting 239:14
22:2 23:12 24:15	sciences 70:18,18	206:11 207:19	241:6 407:17
25:14,21 30:15	178:10	208:22 218:20	selection 239:23
31:13 35:7 36:18	scientific 79:20	222:2,19 225:1	self 204:3
38:20 53:19 56:2	scientist 229:22	226:20 228:21	semester 15:20
62:14 122:6 123:23	231:13 233:9	229:3 234:19	23:1,4 27:5,7 28:18
133:18 165:8 209:5	scope 238:7 247:19	248:13,15 249:17	33:19 171:11,14
214:18 215:1	248:5 289:4	255:18 263:18	244:5 306:4,7
216:16 222:13	score 224:9	268:18 272:4 295:3	312:16 314:1
225:3,16 272:15	screens 423:21	299:2,2,18 313:10	424:20
283:2,7 299:21	scrutiny 49:21	316:12 333:3	send 14:23,23 15:7
300:5,8 310:20	scythe 88:3	336:13 350:1 355:1	15:18 16:5,14,16
335:13 346:15	se 2:3 139:15	357:7,12,21 371:13	16:23 41:5 43:15
369:4 377:1 378:10	seal 427:16	377:14 379:12	43:16 128:14,20
393:9 425:12		388:17 390:17	130:20 163:20,22

[send - situation]

Page 469

165:21 205:2 216:1 217:6 221:9 223:7 229:19 248:18 257:11 269:1,2,5 269:21 270:1,8,15 270:18 271:1 272:1 272:5 277:5,13 278:11 279:9 281:9 294:6 319:14 327:16,17 338:4,7 352:17 405:6 418:2 421:6 sending 96:17 131:1 149:21 186:13 190:2,8 208:6,14 215:18 269:13 297:3 310:7 327:19 354:1 370:1 379:16 sends 13:17 senior 315:23 sense 169:5 243:2 sent 15:13 17:17 34:2,22 35:22 36:14 42:5,19 114:14 130:4 141:1 142:19 145:18 149:9,10 158:20 163:6 173:2 187:16 190:21 209:22 214:13 219:15,23 220:21 223:6 234:1 235:6 246:13 258:19 259:5 260:17 261:10 263:15,16 268:12 271:11 274:13,15 275:16 277:14 280:14 281:1 293:19 295:16 296:13,20 298:3,4	302:3 304:9 312:9 315:20 317:7 323:14 326:6 338:20 340:22 341:13 343:16 355:9 367:5 368:4 369:19 370:13 373:1 380:17,21 403:17,22 404:11 418:6 422:13 sentence 23:8,9 25:18,22 30:21 82:3 95:14,17,18 102:2 144:21 193:1 283:6 314:5 316:3 348:18 354:4 357:8 357:14 358:12 422:9,21 423:15 424:2,13 425:12 sentences 95:10 separate 15:18 16:5 30:19 73:2 237:13 292:3,8 319:16 320:1 321:9 321:18 333:12 334:12 381:16 september 260:12 261:16 series 222:11,19 serious 81:23 143:1 144:10,14,16,19,20 145:12 146:3,10 148:17 157:20 162:22 163:21 164:6 251:14 seriously 81:19 84:2 173:16 186:2 seriousness 342:16 services 342:3 set 8:8 103:23 254:2 318:13 319:2	321:9 349:12 sets 318:23 setting 94:9,11 seven 73:18 74:14 134:4 seventh 207:13 severe 28:9,17 29:3 sevis 235:16 272:23 273:4 306:1 shadow 79:21 89:5 shakes 295:19,21 shape 111:10 239:16 241:15 share 327:6 331:8 shared 156:9 354:9 354:14 372:13 shop 329:13 short 42:8 194:13 259:9 288:21 show 15:22 120:15 150:23 190:11 212:12 358:15 381:1 414:5 showed 61:13 71:13,18 211:4,5 212:1,6 showing 210:1 212:21 317:9 383:4 shows 52:11 59:13 59:19 62:2 90:1 94:12 151:1 213:22 218:13 219:16,16 219:18 337:15 347:20 348:11 421:14,16 425:6 shutting 406:18 si 245:14 sic 348:6 408:7 415:10 421:22 side 30:20 64:16 87:5 185:13 190:19	216:22,22 221:2 252:18 267:8 322:10,11 sides 185:15,16,18 192:10 sign 56:6,15 68:20 91:16 158:1,3 213:21 356:16 signature 79:17 427:16,20 signatures 219:17 signed 56:7 68:10 70:22 71:10 79:22 148:19 157:23 164:10 218:14 232:13 356:6 357:4 357:10,18 359:1 360:5 significant 271:3 signing 8:12 149:7 similar 74:4 simple 73:13 102:5 163:16 318:11 simpler 28:14 simply 90:10 single 30:18 72:15 231:20 sir 404:10 sit 74:23 152:13 200:1 201:10 sitting 107:23 202:4 386:1 situation 45:18,20 60:11 63:13 94:22 102:3,5 106:4 109:10 128:11 138:2,4 173:12 174:16 175:3 180:3 181:5 185:14 187:10 194:9 226:22 235:2,5
--	---	---	--

[situation - status]

Page 470

257:6 282:1 283:13 283:16,20 284:20 330:23 337:16 339:8 340:7 342:16 345:18 346:11 350:23 372:16 373:6 375:2 393:16 401:3 404:18 situational 342:8 344:19 346:16 situations 96:23 102:15 168:1 175:8 181:1 321:4 six 74:15 157:22 205:9 244:5 245:14 245:17 274:8 sixth 73:13 134:3 170:20 180:5 182:12 229:21 skill 427:9 skills 79:12 skip 98:17 256:1 skipping 98:17 slowing 240:12 small 81:3 87:20 410:3 411:2 smaller 67:8 soft 299:15 softer 283:8 solemnly 10:7 soliloquy 258:6 287:11 333:1 362:1 solve 323:23 375:15 376:11 378:1 solved 377:22 somebody 44:15 94:17 152:6 244:3 394:1 someone's 188:13	somewhat 139:2 312:13 313:6,7,21 soon 299:20 348:18 sorry 39:14 83:15 268:6 339:1 366:10 385:18 386:3 392:23 sought 8:18 61:11 sound 110:1 121:18 121:19 332:20 sounded 362:9 sounds 109:19 source 176:20 span 148:12 speak 40:8,11 49:17 128:10 129:17 135:8 138:1 152:17 185:18 290:4 speaking 40:12 218:18 251:21 speaks 39:20 special 12:4 92:12 93:4 134:14 388:21 specialists 74:7 specialization 73:5 specialized 56:14 specialty 70:17 specific 77:7,22 124:15 125:4 129:20 142:2 145:4 150:23 154:12 155:3,21 159:13 242:10,10,16 246:18 254:2 301:17 341:4 391:13,14,18 393:14,16 specifically 8:12 98:16 138:10 354:21 379:9	speculate 112:15 135:11,13 141:9 143:15 speculated 415:10 speculating 286:6 speculation 168:20 406:10 speed 127:3 spelled 159:20 spend 79:18 spent 197:17 split 29:7 spoke 234:3 274:11 342:5 344:16 spoken 274:12 spot 166:5 spring 92:14 93:8 420:4 staff 223:8,11 224:23 stage 124:2 stance 327:5 standard 10:15 121:20 141:3,5 225:15 371:1 standing 26:9 33:22 35:2 55:2 133:7 171:22 172:4 188:18 419:20,20 420:19,19 start 11:3 45:7 96:15,16 104:20 105:16 142:13 146:22 148:22 231:8,10 233:9,13 306:3 352:15 365:3 375:10 383:21 405:9 406:17 started 42:22 64:21 99:7 115:15 127:20 128:1,4 147:16	266:18 296:16 373:21 374:3 407:18 starting 105:3 294:11 state 9:16 151:11 214:1 427:2,5,12 427:22 stated 52:15 374:13 427:7 statement 69:2 76:22 80:6 157:15 169:10 172:10 178:5,13,22,23 179:1 279:7 282:22 287:9,13,22 327:12 333:3,6,8 336:18 347:1 354:22 360:20,23 361:4,5 361:7,11,19 362:14 362:21 363:2,2,4 363:13,18 365:9 379:10 380:2 393:12 395:20,23 399:7,9,12,21,22 400:3 413:21 419:5 425:21 statements 97:8 175:5 362:6 363:12 363:20 399:18 states 1:1 stating 52:17 status 21:23 22:23 24:18 27:9 28:22 29:1 30:12,14 35:21 45:4,15 46:10,14 48:2 67:17 78:22 163:12 225:13,15 226:4 236:4 249:11 298:9 300:22 305:14
---	--	---	--

[status - sufficiently]

Page 471

307:21 309:22	stopped 65:2,5	185:4,6,10,11	224:3 225:22 227:3
342:7,22 343:8	112:23 296:18	192:9 193:9 194:2	243:1 320:23 343:4
344:17 374:18,18	stopping 32:15	194:6 195:9,14	356:15 400:19
376:18 378:10	360:20	197:1 200:3,15,15	studied 150:21
381:9 383:23 388:9	stops 113:6,7 335:1	200:23 201:4,6,9	studies 50:17
412:23 413:10	story 64:17 94:18	201:15 202:2 203:2	225:18 227:10
419:16,21 420:13	115:13 247:5	203:13 205:17	229:11,13 305:14
420:15,21	strain 210:10,11	208:1 214:3 216:1	318:11
stay 229:8 234:4,6	318:21 319:8,9	224:18,20,21 225:3	study 61:5 132:20
234:16 235:3	stranger 69:8	225:6,13 226:19	146:17,18 167:6
stayed 383:11	strict 311:1	227:1 230:4 233:20	201:11
staying 230:10	string 409:4	243:5,7 245:11,14	stuff 71:8 383:12
235:13	structure 111:12	249:11 250:20,23	subarea 73:4 74:7
steal 100:1,15	140:1	251:16 260:2	subhadra 70:6
101:12 151:12	student 13:15,21	272:18 273:2,13	subject 27:11,13,21
stealing 101:14	14:1,16 15:6 16:20	276:11 285:15	31:18 74:22 90:23
step 74:9 99:8,8,15	16:20 17:1,19	290:16,21 291:2,6	345:22 367:7,10,15
99:15 100:3,5,6,17	18:12,13,21 19:3,7	291:19 298:9 300:1	367:18,22 368:1
101:2 104:5,5,22	19:9,18 24:19	300:22 305:13	383:19
111:18,18,21	25:23 26:7,11 27:4	307:21 309:22	subjective 73:10
124:13 139:6 170:2	28:6,17 29:1 44:17	320:9,9,12 331:20	submit 116:23
185:2 186:8,8	46:9 50:4 52:13	346:12 375:5,8,10	118:17 162:1,10
195:9 294:14	55:11,15,17,21,23	375:19 388:9 397:7	164:1 319:17
298:13 301:14	57:7 64:13 73:17	397:20 407:18	329:20,22,23
302:12	74:13,16 75:2,4,9	412:23 418:2,8	submits 118:21
stepped 237:19,21	90:2,4,19 95:6 96:6	419:21 420:1,20,23	225:6
257:13	97:12,21 105:12	student's 13:18	submitted 161:12
stepping 237:15,15	113:7 116:22 117:3	14:13 16:12,22	162:16 163:2
steps 113:12,15,16	119:1,8,17 120:21	19:8 26:1 72:14	319:20,22
128:7 130:22	121:3,17 122:1,1,5	139:2 142:7 156:9	succeed 233:12
203:17 342:20	124:9,11 130:18,20	177:19 180:11	successful 75:9
350:21	130:21 134:19	195:7 242:20	115:17 151:10,13
stick 310:19	139:4 140:5 144:13	students 13:10 15:1	231:1,7,9 234:10
stickers 382:14	145:4 150:4 151:2	55:7 65:9 66:16	234:14,15
stip 10:15	153:16 156:10,14	68:4,20 72:15,20	sue 331:10,16
stipulated 8:3	169:21 174:14,23	73:8 74:5,20 97:16	sufficient 74:13
stipulation 3:7 8:1	175:10,13 176:23	104:1 137:23	118:1 123:12
stipulations 10:16	177:2,18,23 178:3	138:16,23 139:7	130:16 196:3
stop 154:13 215:19	181:8,23 182:12,18	145:6,7,10 174:21	403:21,22
320:16 363:22	182:21 183:5,8,9	180:21 181:2,9	sufficiently 169:1
402:22	183:13 184:6,22	182:2,4,8,9 213:7	169:19

[suggest - tell]

Page 472

suggest 417:2	surface 285:17	349:22 351:15	137:20 152:21
suggestion 321:14	surprised 344:6	352:5,6 368:8	177:7 190:11
suggestive 411:9	345:15	373:8 391:20	192:12 200:7,8
417:1,4	susan 1:11 3:9 4:7	392:20 395:2,8,12	202:5 251:17
summation 82:22	4:22 5:3,7,12,16,20	395:14,16 401:13	256:19 283:23
supervision 427:9	5:22 6:11,13,18,22	402:19 405:1	291:6 297:4 298:18
supervisor 249:21	7:13 9:5 10:21 11:6	418:20 419:10	309:18 311:7,9,15
support 21:23	12:21 20:19 42:1	420:6	314:17 317:12
22:23 23:2 24:18	174:18 206:11	taken 1:12 8:7 78:5	318:6 321:2 333:15
24:23 25:3 26:12	339:16 367:5	96:9 160:19 171:12	334:9 342:11,13
27:8 28:7,16,22,23	370:14 383:3,21	173:16,17 182:6	343:19 353:18
30:12,14 33:19	384:2 410:2	202:14 237:22	362:20 363:7,22
34:1 35:21 48:2	suspended 36:21	246:19 278:18	364:1,5,6,7,11
67:16 78:22 82:1	293:8	280:4 302:11	365:3 366:18,20
161:16,22 162:3	suspends 13:18	308:14 352:10	375:22 376:1 377:6
187:10,11 282:19	16:21	424:5 427:7	377:12 394:13
286:17 300:2	suspension 19:11	talk 48:21 72:18	396:7,9 398:9
supported 249:22	130:5 418:9	81:13 82:16,17	401:22 402:3,13,16
250:5	suzanne 1:21 8:8	94:17 100:8 106:6	404:5 405:10,11
supporting 64:22	9:13 427:4	106:17 124:21	422:14 425:2
suppose 54:7 153:5	suzuki 251:21	125:3 129:7,15	tapes 191:23 192:6
156:3 167:21	252:20	153:2 154:11 200:3	taylor 259:12
216:18 322:8	swear 10:1,4,7	238:8 267:6,15	team 339:6 340:10
supposed 25:1	sworn 10:22	317:1,23 342:23	technology 71:5
suppositions	syllabus 242:10	343:2 364:15	tell 40:3,7 49:3,5
167:18	system 2:8	396:19	54:18 72:2,8 74:21
sure 41:2 51:22	systems 318:8	talked 82:16 86:19	75:3 81:12 87:23
70:20 90:7,11	t	106:5 108:11 115:2	90:13 94:18 95:16
103:23 105:19,20	t 4:1	129:16 136:13	98:6 104:3 108:15
130:11,23 132:13	table 3:1,5 74:19	149:14 160:12	108:21 115:13
132:18 160:6	183:3	177:6,9 187:16	120:5 125:5 126:8
209:10 216:5	take 24:13 76:2	198:3 218:7 254:13	126:23 128:23
224:11 246:3	78:1 81:3,18 83:23	302:8 321:8 340:18	140:9 146:17
247:17 248:4	85:21 96:3 111:11	345:8 387:17 402:4	149:15 155:14
253:21 269:9	116:4 120:20 152:7	408:16	162:13 199:4
270:19 274:13	158:12 159:23	talking 27:8,23	208:17 213:1,13
275:3 281:23	160:15 188:19	28:21,23 38:3	215:21 220:9
283:21 298:13,15	202:9 205:3 225:19	83:13 84:7,12	221:19 225:10
302:1,12,13 342:14	251:14 276:18	90:22 93:10 107:6	234:7 239:20
357:12 373:4,7	287:3 289:9 306:8	107:7 124:15,16	240:10 241:23
380:9 399:15	309:3 318:16 348:8	126:18,19 129:4	246:18 247:1,2

[tell - think]

Page 473

254:14 258:16	305:23 306:12	testimony 10:8	think 16:1 22:12
259:18 270:14	351:9	12:1 16:7 34:7,8	24:7 29:6,22 36:13
276:7 292:7,21	ten 21:7 183:22,22	35:7,11 36:7,17	38:1,12 42:19
295:12 301:9 304:9	184:7 185:23 205:7	38:19 364:9 365:11	45:12 54:17 59:12
315:13 323:3 327:4	205:8 206:4 352:4	368:14 427:6	76:19 79:22 81:17
342:12 347:2 350:5	368:6	tha 73:21 172:2	86:15 89:8 94:16
367:6 382:22 390:9	tenders 20:21	thank 10:13,20	100:18 106:2 108:2
390:13 407:9	161:6 172:20	12:3 16:3 18:2	109:4 112:12 119:3
telling 16:4 40:5	206:13 268:7	20:23 84:13 120:19	131:20 143:6 147:4
43:8 44:10 47:6	316:14 371:15	172:22 192:16	147:23 149:20
51:8 52:3,5 53:13	393:1 407:4 408:13	199:5 206:15 285:3	155:6,8,15 163:9
59:16 63:20 83:20	414:12	326:18 327:11	170:1 174:6 178:6
89:2 94:20 99:14	term 38:5 132:6	372:19	178:19 179:22
99:17 102:5 109:5	316:23 317:3,18,23	thanks 16:2 234:6	182:11,21 183:2,21
109:7 126:4 134:7	terminate 235:12	339:16 383:2	184:13 185:14
141:11 148:21	236:11,16 298:9	theft 100:19 103:8	186:20 196:13
152:22 153:5,8	300:22 305:23	103:16 253:16	200:19 213:7 216:6
154:22 155:7 162:7	307:7	254:4,6,15,21	216:10 218:4
187:6,14 188:3	terminated 65:10	256:6,8,13 257:3	228:14 230:16
197:23 198:12	65:11,16 158:5	303:19	233:9 245:21
199:19 208:4	235:10 236:8	theoretical 318:11	259:20 275:19
210:15 212:15	257:14 275:12	theory 318:16	286:2 287:21
215:21 217:11	301:15 302:4,6,20	thereof 8:17	288:10,13,21,22
219:4,8 220:13	303:14 307:21	thi 261:5 275:7	290:15 311:20,22
231:12 241:13	309:23 400:7,21	407:7	312:4 317:4,15
252:5 263:12 264:7	401:20 402:6,8,12	thing 11:22 28:15	320:3 321:21
273:12 277:12	405:22	59:2 86:14 115:6,9	326:13,21 327:19
278:10 279:8	terminating 24:22	169:18 170:2 192:3	328:4,6,22 330:3
281:19 285:20	235:16 236:3 301:1	319:10 353:23	334:14 335:5 337:8
296:17 297:5	311:6	358:18 380:10	342:12 347:1 350:2
303:14 304:19	termination 236:13	418:10 425:11	350:8,13 357:17,23
307:18,20 308:10	275:13 301:19	things 68:19 79:19	358:1,3 359:1
310:13 322:5	302:14 401:23	85:15,16,18 86:4	360:5 361:7 364:19
331:20 339:19	402:14	102:16 126:11,13	366:7,11 370:8
360:4,9,9 371:22	terms 93:16 204:4	129:5,8 164:21	377:15,18 378:2
375:1 377:21 381:6	test 145:23	165:2 188:3 216:22	382:6 390:4,12,14
390:4 393:21	testified 10:23 36:7	231:3,4 292:3,8,11	390:21 391:5,13,15
394:11 404:19	61:15	334:12 347:6,7	391:23 392:17,19
418:14	testifying 34:3	356:15 358:2	393:11 394:10,12
tells 20:7 22:23	testimon 38:15	388:19 390:19	395:15 396:20
37:20 44:16 263:5			397:10,21 398:16

[think - top]

Page 474

401:2,5,13,16 411:6 414:2,3,7 415:2,5 426:1,5 thinker 358:8 thinking 24:4,4 83:5,18 115:23 123:13 184:5 231:5 232:9,16 254:20 290:12 293:21 299:8 348:1 359:3 388:11,13 402:10 thinks 55:23 153:16 234:3 317:21 third 79:8 80:22 283:14 tho 244:10 thorough 188:4 294:10 371:5 thoroughly 186:3 188:9 thought 27:18 88:10 137:18 225:18 244:10 274:5 276:21 345:11 389:15 402:1 thoughtful 184:21 thread 5:14 6:9,16 7:6 threat 85:2,7,7 86:2,9,10 87:9 173:8,13,16 328:2 329:11 331:9,11,18 331:23 332:5,9 333:16,21 334:7,10 334:16,23 335:10 335:16,18 336:16 336:17 337:5,18,21 338:12 345:17 353:12,21 355:14	356:1 358:9,10,13 359:22 362:2 370:19 371:3,22 372:1,5,13,17,22 372:23 373:17 379:21 380:6,8 381:1,4 413:19 threaten 331:10,12 389:18,19 412:12 threatened 354:19 356:2 373:2 379:7 threatening 88:21 89:3,6 143:22 175:6 356:21,23 357:23 358:4 361:8 372:14 389:23 390:3,13,14,21 threats 176:7 327:6 331:8 339:14 three 42:20 65:8,15 66:16,17 131:6 163:8 164:1 171:2 181:17,21,23 183:7 184:5,20,20 185:9 230:5 231:19,20 274:9,21 297:15 309:14 318:16 343:19 349:11 354:6 357:15,15 400:7,15 402:7 throwing 317:14 thunder 41:1 ticket 420:14 tied 305:14 till 122:1 309:2 time 8:7,16 16:13 17:22 18:15 20:2 24:9 34:4 36:9 42:8 42:23 46:15 56:23 62:18 65:18 67:19 73:18 75:5 79:19	83:13 84:19 88:10 92:17 93:9,14 97:16 117:4 119:19 120:20 121:9 127:23 128:2 134:4 140:5 141:1 148:12 148:16 152:7 161:20 165:3,23 166:1,17 184:8 187:6,15 188:13 197:18 201:9 203:15,22,23 208:6 220:9,11 221:13 230:14 233:22 240:6 247:15,22 248:3 249:13 251:1 251:5 252:17 265:10,23 266:1,2 266:12,19,21 277:17 281:12 282:10 283:18 285:9,11,16 303:12 303:15 304:18 306:17,21 319:19 327:5 351:21,22 360:22 361:23 363:19,20 364:4 369:3 373:10 374:3 389:17 404:17 406:17 409:6,11 410:17 420:13,14 421:1,2 426:6,7 427:7 timely 133:18,23 134:5,8 136:3,8,17 137:8 151:2 154:6 157:15 159:5 170:21 200:8 232:7 376:21 times 131:6 160:14 191:17,18 214:17	311:13 312:1,3 315:1 318:22 324:9 362:21 title 3:3 21:8,22 30:11,13 48:2 tobias 2:7 toby 9:17 today 131:7 188:2 196:12 239:17 240:1 241:3,17 277:20 280:21 339:6 350:13 354:13 366:7,10 369:4 408:17 414:20 toefl 224:9 told 17:8 46:2,22 66:21 71:14 82:4 82:18 86:8,9,20 94:13 102:12 104:15 105:5 106:8 108:23 111:23 115:20 126:8 127:8 135:8 139:20 143:21 151:1,3 157:17 164:5 169:11 175:17 179:16 183:7 186:5 186:6 194:10 204:20 217:22 219:9 277:4 293:4 319:12,22 324:9 354:18 368:16 373:12 379:6 426:6 tomorrow 17:16 ton 362:8 tone 334:8 339:23 354:20 379:8 top 102:13 383:11 384:22 386:23
---	--	---	--

[topic - understand]

Page 475

topic 240:17	trustees 1:6 9:6	152:12 158:5	ultimately 327:8
topics 210:4 318:9	trusting 54:6	167:18 174:3	413:3,4
367:15 368:8	truth 10:9,10,10	192:20 193:4 198:4	um 23:21 71:7
totally 65:12 69:8	53:13 248:10 321:7	199:9 200:13 201:4	77:11 85:19 111:17
319:10 381:16	337:9,10,15	201:9,22 202:5	117:14 147:22
townsley 353:11,19	truthfully 427:11	204:20,22,23 205:1	174:6 188:2 205:16
354:18 379:5	try 75:14,15,15	205:11,23 206:1	211:8 214:15 229:2
traditional 205:8,9	80:17 96:20 150:17	210:9 214:16	242:3 246:15 254:8
205:20	217:20 365:5	216:22 230:5	274:1 275:17
train 276:21	366:19 381:21	248:19 249:22	277:21 284:9
transcript 4:13	401:2 416:18	268:10 281:14	307:13 326:4
33:3 34:20 35:14	trying 64:12 66:15	285:11 286:20	347:13 379:14
35:15 36:11 37:12	66:20 83:18 95:5	292:3,8 297:15	382:18 421:10,12
224:8 228:22	95:11 99:23 100:15	299:5,9 315:1	425:3
244:13 365:18	101:12 107:2	318:16,22,22 319:1	umm 58:14 287:15
427:6	111:14 203:16	319:7,17 320:2	291:13 294:15
transcription 427:8	204:12 215:19	321:9,17,18 326:3	303:21,23
transistor 71:6	248:6 249:12 301:8	354:17 356:1 358:2	un 45:10 62:3
treated 73:9 104:1	325:8,15 335:11,17	362:5 372:4 379:4	286:2
139:7 182:7,22	341:1 363:21	382:21 385:6	unambiguous
184:23 186:1,2	379:19 380:3,7,9	386:17,18 392:5	283:15
288:14,22 290:10	380:11	400:18 402:21,22	unaware 60:14
tricky 102:15	tuesday 9:2 272:5	403:2 405:12	uncommon 124:2,7
308:12	298:3	409:10	unconnected
tried 151:12 335:9	tuitions 23:6	typewritten 427:8	388:20
364:21,23	turn 299:22 382:10	u	undergraduate
trigger 89:20	turned 170:16	u.s. 230:15 234:5	17:23 182:18
triggered 275:13	turning 208:13	235:3,13 236:4	underlined 176:10
true 47:14,14 59:5	turns 170:22 171:1	ua 7:2,5 15:11 24:9	192:18 202:22
88:5 115:11 139:8	tuscaloosa 1:12,14	190:13 229:14	207:4 208:4 304:12
156:14 216:12,15	2:4,9 9:10	259:14 281:1 287:4	understand 15:17
219:10,11,21	twenty 409:4	287:14,23 312:15	16:5 17:9 36:17
320:20 321:5	twice 36:2,3,7	313:22 315:23	38:18 46:14 55:4
330:11 387:6 427:6	two 11:15,18 19:19	330:22 387:4	56:9,11 62:8 66:20
trust 51:17 53:22	23:9,10 26:20,22	ua's 342:2 370:21	67:2,6 69:3,22 71:1
54:1,8 55:9 62:22	27:2 29:8,17 30:18	uapd 314:6 342:8	75:12 100:8 103:3
112:2 123:7 137:14	30:19 31:2,5,6,9	344:18,23 345:4	103:20 107:3
221:6,7,11 222:6	65:9 83:13 85:16	346:3,8,15 348:3,7	110:14 135:4,23
335:3,15	85:18 86:4 102:16	348:17,19 349:16	158:23 171:15
trusted 53:15	117:2,4,8 118:18	349:18 355:7	188:9,21 190:23
221:11 348:7	118:19,22 151:20		198:14 211:15,16

[understand - visa]

Page 476

228:1 232:15,20 234:13 248:6 249:13 271:6 283:12 291:11 309:19 323:2 331:19 349:2,4 350:23 360:21 378:3 396:1 understandable 69:1 understanding 143:9,11 152:11 200:22 201:3 229:2 244:17 270:23 304:14 343:10 395:22 396:1 understands 282:17 284:20 298:16 understood 38:5,6 282:1 283:10,19 286:14 301:7 303:3 uneffective 301:18 unethical 80:3 83:23 355:2 357:22 379:13 unfairly 288:14,23 unfamiliar 330:19 unfavorable 68:6 unfortunately 207:12 208:5 289:19 unique 51:1 unit 9:4 78:7 160:21 280:6 352:12 united 1:1 universities 51:5 76:17,23 212:2 university 1:7,13 2:8 4:17 9:7,18,20	11:9,17 13:11 37:20 38:17 39:4 51:2 53:20 76:17 77:1,3 114:17 115:22 126:18 129:5,8,16 139:9 141:17 151:12 158:5 173:11 180:9 182:15 193:22 194:8 212:4,8 214:2 225:17 239:1 239:4,12 242:21 276:8 286:3,15 288:19 293:9 309:22 345:11 346:23 351:14 352:22 359:10,11 359:20 390:22,23 395:1,5 401:14 402:18 407:19 410:14 419:13 420:9 421:13 422:3 university's 36:15 224:12 289:21 unjustly 184:23 unlawful 24:8 unproductive 195:11 unquote 353:14 355:3 unrelated 318:23 unsatisfactory 57:9 unsure 100:18 untouched 92:13 93:4 unusual 73:2 update 272:16 urgent 143:1 144:11,14,16 145:11 146:2,10 148:17 157:19	162:22 163:21 164:6 use 22:9,13,17,20 82:9 131:22 132:6 148:12 164:23 166:5 174:18 185:10 189:1,4,6 222:9 234:17 250:3 293:6,7 308:12 313:2,2 317:22 324:6,8 343:12 377:4 409:11 uses 207:23 316:22 317:1 386:21 usual 10:15 14:22 usually 92:11 93:1 94:13 116:16 144:14,16 207:17 230:4 316:23 386:21 v v 1:5 vague 95:10,14,17 95:18 359:14 388:20 valid 147:23 148:14 165:11,15 165:16 166:11,15 167:19 168:17 169:14 171:8 182:5 validatable 169:14 validate 150:17 validated 150:18 151:1 validity 24:3 74:9 150:15 valu 171:7 valuable 182:17 variable 113:10 ver 112:4	verbal 41:9 42:2,3 43:20,21 44:2,13 44:14 47:19 214:4 215:10 251:12 verdict 112:3,7 verified 40:16,18 42:18 43:2,4 verify 40:19 55:6 87:3 275:23 veritext 1:22 version 112:6 370:3 418:6 versus 9:6 vested 427:12 vice 58:6,22 59:17 60:6,15 62:4 63:5 64:6 70:6 151:17 152:7 163:3 171:4 200:1 253:14 257:5 257:13 303:18 327:15 404:2 video 1:10 9:4 videographer 2:12 9:1,12,23 78:3,6 160:17,20 202:12 202:15 280:2,5 352:8,11 406:19 426:10 view 69:3,4 134:11 134:12 156:9 180:11 232:11 234:11 239:19 252:19 275:10 289:15,16,20,21 323:5 324:11 views 362:1 violate 53:20 violation 26:8 violent 371:7 visa 225:13,21 226:4 235:9,16
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[visa - witness]

Page 477

236:12,13 275:12 275:14 298:17 302:4 305:14 307:8 309:3,19 311:6,7 311:11,18 342:5,21 visible 386:23 vo2 210:10 voice 112:10 182:16 187:17 190:2,9 217:6,7 219:18 297:5 365:16 368:21,22 369:3 404:15 voices 186:12 190:21 215:12,15 volunteered 258:4	234:4,6 241:19 267:14 270:1,4,8 275:21 276:6,19,21 281:5 283:5 284:22 286:15 298:10 305:1 310:19 325:13 327:14 331:16 346:13 399:23 405:20 409:21 410:12 415:15,17,17,20 417:5 418:1 wanted 132:6 169:12 226:2,7,10 226:21 228:9,9 234:16,19 269:9 271:4,5,8 282:9 283:12,22 305:15 342:13 411:4,14 wants 79:13 327:4 417:6 warned 39:9 warning 251:13 278:23 347:18 349:18,23 warns 39:4 warrant 278:9 285:13 waste 240:6 wasting 187:6,15 188:13 watch 139:16 358:17 watching 401:17 way 24:6 49:15 50:1,5 51:1,13,15 53:18 56:3 60:13 74:3 82:18 103:23 105:2 116:18 139:14 140:2 178:1 181:4 183:4 194:20	195:3 204:10 221:3 229:5,7 230:23 232:17,18 234:4 235:3 239:23 247:11 256:3,18 259:9 282:16 283:8 288:1,7 291:11 294:2 298:22 299:1 300:7 301:8,17 302:23 312:23 318:1 322:2 326:23 328:12 329:9 334:20 336:18 339:9 359:3,21 390:16,17 391:10 406:5,6 414:4 417:5 ways 49:17 73:9 177:20 219:1 270:21 we've 76:2 131:5 136:13 158:10 160:10,11 165:18 197:17 276:17 340:17 352:3 weapon 389:13 390:2 week 152:10 161:13 201:10,13 201:14,15,17,17 202:6 207:18 211:10,20,22 212:1 234:1,23 235:12,14 236:1,14 238:10 279:21 315:1 379:15 weekly 121:8 151:14,18 198:1 211:10 weeks 117:2,4,8 118:18,19,22	201:18 225:8 318:17 weigh 216:22 weighty 139:4 welcome 32:13 164:20 went 100:2 106:4 373:22 western 1:2 wha 270:11 whitaker 253:19,23 254:12 303:18 whoo 41:1 williams 5:8 willing 162:3 243:22 wise 173:13 wish 192:22 193:7 193:9 195:19 204:21 wished 196:5 283:6 wishes 194:5 195:4 wishing 194:1 wit 365:22 withdraw 282:19 withheld 262:3 witness 10:1,5,12 12:23 20:21 35:16 41:1 57:23 67:1 81:18 82:7,17 120:17 125:16 126:3,6,8 131:18 131:22 133:12 138:13 154:15,18 154:21 155:1,5 158:14 161:6 172:20 174:19 176:1,3,6 181:13 206:13 233:4,17 264:9,11 266:1 267:17,21 268:6
w			
wait 128:3 240:2 272:1 362:23 363:13 364:6 waited 127:23 165:21 waiting 166:7 362:22 364:12 417:20 waived 8:12 walker 5:16 258:23 259:2,21 262:16 427:3 walking 91:18 wall 391:12 want 15:14 41:2 58:16 73:8 79:21 81:15 82:20 126:12 129:1,9,23 131:10 146:16 156:17 172:7,11 182:1 194:22 195:3,15 207:3 212:22,23 225:23 227:22 228:1 229:4,6,7			

[witness - zero]

Page 478

273:20 290:22 316:14 324:18,22 362:12 364:5,9,13 365:10,11 366:2,5 371:15 382:18 385:16,18 386:3,6 386:9 393:1 406:2 406:5 407:4 408:13 408:18,20 410:15 410:20 411:8 412:6 412:15 414:12 415:14 416:16 419:12 420:8 425:23 426:2 427:7 427:11,16 wonder 158:2,15 273:2 word 22:9,13,16,18 22:20,22 30:14 39:1 82:10 217:12 232:2 299:11 300:23 301:17 308:5,13 317:10,11 317:14 343:12 words 85:11,14 213:4 354:6 357:16 364:10 378:4 380:16,23 work 49:19 64:13 81:2 122:9,11,14 122:18,21 123:6,12 123:14 124:11 126:19 153:19 156:16 158:17 182:23 204:21 211:17 212:3,4 213:7 214:3 224:5 237:4 worked 210:9 working 70:2,16 106:10 320:17	400:19 works 49:22 50:8 79:20 128:11 221:4 224:3 256:4 336:18 world 239:21 336:18 417:3 wou 42:22 61:9 226:16 write 178:20 319:1 319:7 333:14 396:8 writes 331:7 writing 121:19 179:11 180:1 207:12 208:5,12 209:6,10,11 212:15 276:10 300:18 307:19 313:18 360:7 396:4 written 48:17,19 85:13 98:7 119:22 119:22 208:17 215:7,8 282:17 298:23 299:1 300:7 300:14,16 345:7,16 358:23 359:20 393:8,12 wrong 30:6 73:22 94:22 113:2 131:2 180:10 220:10 252:23 318:1 wrongdoing 83:4 wrote 17:4 38:23 44:8 67:22,23 95:9 97:21 98:19 176:11 178:6 211:2,9,20 211:21 221:12 247:19 259:23 267:21 283:18 351:6 354:16 358:23 368:11 372:10,21,23	373:19 379:3 397:13 418:12 421:9 x x 4:1 y yarbrough 5:20 yeah 13:2 21:19 22:8 33:5 38:1 39:20 58:9 62:11 67:10 75:20,22 82:23 100:6 103:20 107:13,13 108:6 115:4 120:3,18 124:18 127:6 128:9 128:16 143:4 145:22 147:9 158:14 167:17 183:11 198:22 210:17,20 214:5 216:5 219:8 220:19 228:3 233:4 252:3 253:11,21 254:10 266:16 277:7 302:23 305:11 308:12,23 310:4 311:3 317:18 363:11 373:10 386:8,10 387:7 389:12 393:2 406:16 408:18 year 73:13 74:14 74:15 99:18 106:20 127:19,23 128:3,4 134:3,6 170:20 174:5 180:5 181:10 181:23 182:12 184:9 203:23 207:13 213:20 229:21 282:20	301:12 407:14 yearly 214:7,22 years 11:13,16 70:13 73:19 74:14 134:4 152:4 195:14 198:1 199:9 200:3 200:16 201:6,21 210:9 211:19 289:14 290:12 343:5 392:5 yesterday 281:2 354:13 yo 82:11 younger 286:22 287:1 z zero 208:2 243:16 244:6,13,15,15 281:20
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Alabama Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within thirty (30) days of its submission to the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the

court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(F) Certification and filing by officer; exhibits; copies; notice of filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. Unless otherwise ordered by the court, the officer shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and shall promptly file it with the court in which the action is pending or send it by registered or certified mail to the clerk thereof for filing.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

ALI AMIRI.,

Plaintiff,

v.

**THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA,**

Defendant.

Case No.: 7:18-cv-00425-RDP

ORDER

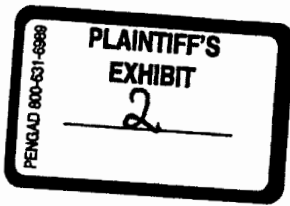
This case is before the court on pro se Plaintiff Ali Amiri's informal request to compel Defendant to produce certain documents in advance of a deposition scheduled for February 19, 2019. For the reasons explained below, Plaintiff's request is **GRANTED**. Defendant is **ORDERED** to produce "[a]ny and all emails and letters received, replied to, or sent by Dr. Susan Carvalho regarding any matter related to Mr. Ali Amiri" for the time period between January 1, 2016 and February 28, 2018, as Plaintiff requested in his fourth Request for Production. Moreover, Defendant shall produce the documents in a timely manner that will enable Plaintiff to use the documents to adequately prepare for the deposition of Dr. Carvalho on February 19, 2019.

In the Scheduling Order entered on November 14, 2018 (Doc. # 36), the court stated that initial proceedings in this action would be targeted at the questions of (1) whether Plaintiff had a protected property interest in continued enrollment at the University of Alabama; (2) the reasons for Plaintiff's dismissal from the University of Alabama, including whether his dismissal was for academic or disciplinary reasons; and (3) the procedures followed in determining that Plaintiff should be dismissed from the University of Alabama and in effectuating his dismissal.

Defendant represents that it has produced emails involving Dr. Carvalho that relate to these topics, including specifically the reasons for Plaintiff's dismissal from the University of Alabama and the procedures followed in making the dismissal determination. But Defendant has declined to produce any other emails involving Dr. Carvalho, including emails related to things such as Plaintiff's claimed ownership interest in an electronic device, and his claims of theft, plagiarism, and academic misconduct. The court concludes that these other emails, even if they do not expressly state the reasons for Plaintiff's dismissal, may be relevant as circumstantial evidence concerning the true reason for Plaintiff's dismissal from the University of Alabama, including whether it was for academic or disciplinary reasons. The court therefore orders Defendant to produce the remaining emails involving Dr. Carvalho and Plaintiff from the relevant time period identified above.

DONE and ORDERED this February 13, 2019.


R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE



THE UNIVERSITY OF

June 29, 2017

Ali Amiri

Tuscaloosa, AL 35401

Dear Mr. Amiri:

The Graduate School received notification from the Department of Physics that you have been dismissed from the Doctor of Science in Physics program. As per Scholastic Requirements of the Graduate Catalog, departmental dismissal from a degree program also results in suspension from the Graduate School.

As a result, you will not be permitted to register for the Fall 2017 or any future semester unless you have first been readmitted to the Graduate School, in a different program. The process for readmission is described in the Graduate Catalog online in <https://catalog.ua.edu/graduate/about/academic-policies/scholastic-requirements/>.

I wish you the best in all of your future endeavors.

Regards,

A handwritten signature in cursive script, appearing to read "Susan Carvalho".

Susan Carvalho
Associate Provost and Dean of the Graduate School

cc Chemistry

From: Carvalho, Susan
To: Greer, Jennifer
Subject: RE: RE: Graduate support status
Date: Monday, June 26, 2017 4:42:00 PM
Attachments: image001.jpg

As I understand it, we do not send a separate/additional letter of dismissal. We place a hold on their next-semester registration, and put the department's letter into their file. That's it.

But records here do not show that we were notified.

Let me know what you and Norma think, and whether we should proceed with the Hold—thanks!

Susan

Carvalho signature block no logo



From: Greer, Jennifer
Sent: Monday, June 26, 2017 4:22 PM
To: Carvalho, Susan
Subject: Re: Graduate support status

I'm meeting with Norma tomorrow. It's interesting that this was sent a month ago and the grad school was not notified.

After a program dismisses a student does the graduate school also notify them? In grad school, they are admitted to a program and the grad school at the same time, contrary to the undergraduate experience.

Jennifer Greer
Associate Provost
University of Alabama

On Jun 26, 2017, at 4:18 PM, Carvalho, Susan <scarvalho@ua.edu> wrote:

Hi Jennifer – the attached Grad Committee assessment and the chair's email below effectively terminate Ali Amiri's student status. Do you want to run this by Norma during your regular meetings, do we do this by email, or shall I consult with her? Let me know best next step in making sure we are able to communicate this clear decision to him and make sure he understands it, as well as notifying the visa office.

Thanks,
Susan

From: Han, Luoheng

From: Carvalho, Susan
Sent: Monday, June 26, 2017 3:40 PM
To: Greer, Jennifer; Han, Luoheng
Subject: Ali Amiri
Attachments: Physics Ali Amiri 6 2017.docx

Hi Jennifer and Luoheng – thanks for the conversation today about Ali Amiri. Just FYI, attached are segments of the Physics graduate handbook, that outline the grounds for expected research progress, funding, and dismissal from the program. Just for your reference, in case we need to echo any of this language in future communications.

As we discussed:

- 1) Luoheng will assemble email records, including the Physics department's assessment of Amiri's research progress. Also a past letter of dismissal, so that we can compare to past student situations and use similar language where appropriate.
- 2) Jennifer and Susan will draft a letter of dismissal patterned after prior letters, if the documentation warrants, and then will review with Legal Counsel to make sure the academic process is not seen as interference with any ongoing grievance or investigative processes.
- 3) We will circle back to A&S and Physics, on next steps.

Thanks,
Susan

Susan Carvalho
Associate Provost and Dean

Graduate School
The University of Alabama
102 Rose Administration Bldg.
Box 870118
Tuscaloosa, AL 35487
Phone 205-348-8280 | Mobile [REDACTED]
scarvalho@ua.edu | <http://graduate.ua.edu>



From: Carvalho, Susan
To: Han, Luoheng
Subject: Phone call re Amiri
Date: Monday, June 26, 2017 2:20:59 PM

Hi Luoheng - I was talking with Jennifer Greer, who has been involved in Amiri's case before. She will join me on our phone call at 2.30, if OK with you. If Lisa Dorr is free, should she also join, so we put a full plan together?

Susan

Susan Carvalho, Ph.D.
Associate Provost and Dean of the Graduate School
University of Alabama
102 Rose Administration Bldg.
Tuscaloosa AL 35487
205-348-5921 (office)
859-618-4399 (mobile)

From: Han, Luoheng
Sent: Monday, June 26, 2017 4:00 PM
To: Carvalho, Susan
Cc: Greer, Jennifer
Subject: Ali Amiri
Attachments: 1281_001.pdf

Susan and Jennifer:

I just had a meeting with Dr. Patrick LeClair. Here are the answers to your questions:

- 1) Dr. LeClair is advisor and Dr. Gupta is co-advisor for Mr. Amiri.
- 2) Neither of them have told him in writing that they would no longer serve as his advisor. In his email dated June 19, Dr. LeClair said "...given that we have long since ceased to have any sort of productive relationship, I no longer consider you to be member of the research team".
- 3) Mr. Amiri was funded through the end of spring 2017 semester with a NSF grant, which Drs. LeClair and Gupta are serving as co-PIs.
- 4) Mr. Amiri will be in his 7th year in August 2017, and he has not published an article. In addition, he has not shared his research results for the last six months.
- 5) The Graduate Committee of PHAY recommended Ali should not receive financial support and be dismissed from the department (See attached letter).

Luoheng



Documents Presented Regarding the
Contingent Recommendation

Table of Contents

Email from Patrick LeClair on 4/27/2017, 4:34 PM¹ ----- page 2

Email from Patrick LeClair on 4/27/2017, 10:11 PM² ----- page 3

Email from Patrick LeClair on 4/28/2017, 1:37 AM³ ----- page 4-5

Email from Tanta Myles on 4/28/2017, 8:50 AM⁴ ----- page 6

Email from Patrick LeClair on 4/28/2017, 9:12 AM⁵ ----- page 7

Email communication entitled "**Graduate Support Status**"

Email from Patrick LeClair on 5/26/2017----- page 8

Attachment of the email (***Contingent Recommendation***)⁶ ----- page 9

Reply by Ali Amiri on 6/1/2017----- page 10

¹ UA Production 000222, Initial Disclosures.

² UA Production 000214, Initial Disclosures.

³ UA000014, UA's Response to Plaintiff's First Set of RFPs.

⁴ UA000005, UA's Response to Plaintiff's First Set of RFPs.

⁵ UA000008, UA's Response to Plaintiff's First Set of RFPs.

⁶ Contingent Recommendation is produced on 4/28/2017 at the urgent meeting declared by Dr. Patrick LeClair (and the whole process was started and done in less than 20 hours), but it was not communicated until 5/26/2017.

From: Leclair, Patrick pleclair@ua.edu
Subject: grad advising needs to meet ASAP
Date: April 27, 2017 at 4:34 PM



To: Conor Henderson conor.henderson@ua.edu, Paulo Araujo ptaraujo@ua.edu, Preeti Nair preethi.nair@ua.edu,
Nobuchika Okada okadan@ua.edu, Sanjoy Sarker ssarker@bama.ua.edu, Dean Townsley Dean.M.Townsley@ua.edu

Hi,

The graduate advising committee needs to meet before lunchtime on Monday to discuss an urgent and serious matter. I will brief as many of you as I can on it individually.

-patrick

From: Leclair, Patrick pleclair@ua.edu
Subject: Re: grad advising needs to meet ASAP

Date: April 27, 2017 at 10:11 PM

To: Conor Henderson conor.henderson@ua.edu

Cc: Dean Townsley Dean M Townsley@ua.edu, Preethi Nair preethi.nair@ua.edu, Paulo Araujo ptaraujo@ua.edu, Nobuchika Okada okadan@ua.edu, Sanjoy Sarker ssarker@bama.ua.edu



I will drop by for the start of the meeting to give some background information, but should not be part of the discussion for reasons that will quickly become obvious.

Looks like 10am Friday does work, let's go ahead with that unless someone objects in the next hour or so ...

-patrick

On Apr 27, 2017, at 6:53 PM, Conor Henderson <conor.henderson@ua.edu> wrote:

I could meet any time tomorrow after 10am, and almost any time Monday.

So far it sounds like 10am Friday works for the people who have responded already. Is there anyone for which this does not work?

Conor.

On 4/27/2017 5:37 PM, Dean Townsley wrote:

I am available 10-4 tomorrow, and pretty much any time on Monday morning.

Dean

On 04/27/2017 04:38 PM, Nair, Preethi wrote:

Hi Patrick, et al.

I can meet between 9:00 - 11:00 a.m. tomorrow.

I have office hours with AY101 students after that plus class at 2:00 p.m. followed by more help sessions.

I can also meet on Monday nearly anytime.

Cheers,

-Preethi

On Apr 27, 2017, at 4:34 PM, Patrick LeClair <pleclair@ua.edu> wrote:

Hi,

The graduate advising committee needs to meet before lunchtime on Monday to discuss an urgent and serious matter. I will brief as many of you as I can on it individually.

-patrick

--
Dr. Conor Henderson
Associate Professor & Graduate Director
Department of Physics & Astronomy
University of Alabama

If you received this in error, please contact the sender and delete the material from your computer.

-----Original Message-----

From: Patrick LeClair [mailto:pleclair@ua.edu]

Sent: Friday, April 28, 2017 1:37 AM

To: Luoheng Han

Cc: Carpentato Myles; Conor Henderson

Subject: Ali Amiri

Luoheng (cc Tanta, Conor),

Copying Tanta Myles as Research Compliance Officer, and Conor Henderson as our department's graduate director.

My departmental graduate advising committee will meet Friday morning 4/28 to discuss Ali Amiri's situation. They will specifically consider recent correspondence he has had with his advisors (including myself) and administrators, as well as his progress in research thus far. Their task is in short to determine if Ali is currently in good academic standing in our department, and make a recommendation regarding his financial support. I will not be a part of this review.

I will brief the committee on the basic and documented facts of the situation, but will recuse myself at that point from their discussion and decision process. I am not offering them any opinion of the situation, as chair I am only charging them with coming up with an independent recommendation of Mr. Amiri's standing in the department. I have instructed them that any recommendation they make to me should be copied to you and Tanta Myles to establish the origin of the recommendation, and that they do not communicate the recommendation further until you, Tanta, and Bob Olin have weighed in.

The committee is charged with considering three matters: (1) is Ali in good academic standing in our department right now, (2) if not, should he continue to be supported by the department financially (whether by TA or using RA using funds administered by the department), and (3) if they do not suggest supporting him financially, does the committee recommend he be removed from the program, or is he allowed to continue if he can provide his own funding.

I have given the committee a hard copy (and no electronic copy) of recent email correspondences between Ali and myself, Arun Gupta, Takao Suzuki, and later forwards to Tanta Myles and Carl Pinkert. They will also interview parties that were present at recent meetings, including grad students and faculty members in our department. I will have no part in this process either, I only informed them who was present at the most recent meetings that they might want to talk to.

Once the committee has made a recommendation, they will send it to me, and cc you and Tanta Myles. The committee has been instructed to finish this by lunch time on Monday 1 May. We will not proceed any further than that until Bob and

Tanta have had a chance to weigh in on our committee recommendation, that's why I asked for the committee feedback by Monday when Bob returns from his travels. We will not send the committee's recommendation to Ali until that action is cleared by Bob and Tanta at least.

I should also say that I passed the email exchanges noted above along to March Huey, Compliance, Ethics, and Regulatory Affairs Coordinator, and [REDACTED]. I am deferring to the judgment of A&S and Research Compliance as to whether legal council should be involved, I'm clearly out of my depth.

I do want to point out some relevant text in our department's graduate handbook:

<https://physics.ua.edu/wp-content/uploads/2016/05/GradHandbook-2016-06-15.pdf>

5. Good Academic Standing

"Graduate students are required to maintain good academic standing within the Department.

Students who are not in good academic standing may have their financial support reduced or withdrawn, or may be dismissed from the program. The Departmental requirements for maintaining good academic standing supplement the Graduate School requirements; together, these requirements include (but are not limited to) the following:"

[cut]

"The maintenance of good academic standing with the Department also requires that graduate students conduct themselves responsibly and respectfully towards other members of our academic community. Indeed, the University has a vital interest in the character of its students, and therefore regards behavior at any location (on-campus or off-campus) as a reflection of a student's character and fitness to be a member of the student body. Accordingly, in addition to the relevant academic thresholds, a student's standing with the Department is also contingent on compliance with the Code of Student Conduct and adherence to the Capstone Creed."

The last paragraph is of particular relevance, and it is one factor the committee will consider.

Let me know if you have any questions or if you need anything from me. My cell is 857-891-4267 if you need to reach me on short notice.

Best,

-patrick

From: Carpantato Myles
To: Pinkert, Carl
Subject: FW: FW: Ali Amiri
Date: Friday, April 28, 2017 9:02:12 AM

II
9:02 am
CAP,

Based on Mr. Amiri's reporting of possible misconduct, unless this meeting is to discuss the status of all graduate students or was scheduled prior to our notification about the matter this could be considered retaliation based on the timing. I talked with Louheng yesterday about how Mr. Amiri's access to the labs could be continued.

[REDACTED]
Tanta

Carpantato (Tanta) Myles, MSM, CIM, CIP | Director & Research Compliance Officer

Office for Research Compliance
The University of Alabama
358 Rose Administration
Box 870127
Tuscaloosa, AL 35487
Phone 205-348-5746 | Mobile 205-310-8985 | Fax 205-348-7189
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I
8:50 am
—Original Message—

From: Carpantato Myles
Sent: Friday, April 28, 2017 8:50 AM
To: 'Patrick LeClair'; Luoheng Han
Cc: Conor Henderson
Subject: RE: Ali Amiri

Patrick,

Is the meeting scheduled only to discuss Mr. Amiri's status or a meeting to discuss support and standing for all students?

Thanks,

Tanta

Carpantato (Tanta) Myles, MSM, CIM, CIP | Director & Research Compliance Officer

Office for Research Compliance
The University of Alabama

From: Carpantato Myles
To: Pinkert, Carl
Subject: FW: FW: Ali Amiri
Date: Friday, April 28, 2017 9:13:17 AM

FYL...

Carpantato (Tanta) Myles, MSM, CIM, CIP | Director & Research Compliance Officer

Office for Research Compliance
The University of Alabama
358 Rose Administration
Box 870127
Tuscaloosa, AL 35487
Phone 205-348-5746 | Mobile 205-310-8985 | Fax 205-348-7189
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-----Original Message-----

From: Patrick LeClair [mailto:pleclair@ua.edu]
Sent: Friday, April 28, 2017 9:12 AM
To: Carpantato Myles
Cc: Luoheng Han; Conor Henderson
Subject: Re: Ali Amiri

Hi,

Conor, just as a reminder this is a normal end-of-semester meeting of the grad advising committee to discuss the support and standing of all students in their 5th or 6th year who are getting close to their PhD deadline. You should also discuss anticipated graduation dates for these students so we can predict how many grad offers we might need to make in the spring.

-patrick

> On Apr 28, 2017, at 8:49 AM, Carpantato Myles <cmyles@research.ua.edu> wrote:

>

> Patrick,

>

> Is the meeting scheduled only to discuss Mr. Amiri's status or a meeting to discuss support and standing for all students?

>

> Thanks,

>

> Tanta

>

> Carpantato (Tanta) Myles, MSM, CIM, CIP | Director & Research

UA000008



Ali Amiri <aamiri1@crimson.ua.edu>

Graduate support status

Leclair, Patrick <pleclair@ua.edu>

Fri, May 26, 2017 at 11:56 AM

To: Ali Amiri <aamiri1@crimson.ua.edu>

Cc: Luoheng Han <luoheng.han@ua.edu>, Robert Olin <olin@ua.edu>, Carpantato Myles <cmyles@research.ua.edu>, Conor Henderson <conor.henderson@ua.edu>

Ali,

It is departmental policy at this point that near the end of each Spring semester, the graduate advising committee meets to consider the continued support of students who are in or about to enter their 7th year in the graduate program. You were included in this cohort of students based on your year of entry into the program, and thus your case was discussed, along with several other students in the same situation. The main points of discussion are progress toward degree, and whether the students in question are in good academic standing. The latter point includes conduct toward colleagues in addition to grade point average and other factors listed in the department's graduate handbook.

While as department chair I asked for this meeting to occur, I recused myself from the committee discussion and decision process to avoid any conflict of interest. The graduate advising committee has concluded that based on your research progress and conduct you are not in good academic standing, and should not receive financial support from the department for the Fall 2017 semester. I attach a scan of the letter stating their recommendation. I am obliged to follow their recommendation, and the department will not offer you financial support for the Fall 2017 semester.

Please also note that their recommendation was contingent on the investigation and findings of the Research Compliance Office, which have now concluded.

I should also note that you have a right to appeal this decision. Claims associated with academic progress must be handled through University Academic Grievance Procedures provided in the University of Alabama Graduate Catalog. I will be happy to inform you of those procedures if you have any questions.

Best Regards,

-Patrick

—
Dr. Patrick R. LeClair
Professor and Chair
Department of Physics and Astronomy
Box 870324
University of Alabama
Tuscaloosa, AL 35487
USA

office:
Gallalee 206
Bevel 1047
office: 1.205.348.3040
cell : ++1.857.891.4267

pleclair at alum.mit.edu
pleclair at mint.ua.edu

 Amiri_grad_eval_S17.pdf
50K



28 April 2017

Dr. Patrick LeClair,

Chair, Department of Physics & Astronomy

Dear Dr. LeClair,

In the case of graduate student Ali Amiri, based on the student's demonstrated lack of progress in research and disrespectful conduct towards faculty advisers, colleagues and members of the academic community, the Physics Department Graduate Advising Committee considers that the student is in violation of the Good Academic Standing clause of the Departmental Graduate Handbook and therefore we recommend that the student should not receive financial support from the Department of Physics & Astronomy and should be dismissed from the Physics graduate program.

We are aware that the student has made allegations of research misconduct by faculty members. If UA's Office of Research Compliance finds there is merit to these allegations, then the Physics Department Graduate Advising Committee may review the above recommendation.

Yours sincerely,

A handwritten signature in cursive script that reads "Conor Henderson".

Dr. Conor Henderson (Graduate Director)

On behalf of the Graduate Advising faculty committee of the Department of Physics & Astronomy:

Dr. Paulo Araujo

A handwritten signature in cursive script that reads "Paulo T. Araujo".

Dr. Preethi Nair

A handwritten signature in cursive script that reads "Preethi Nair".

Dr. Nobu Okada

A handwritten signature in cursive script that reads "Nobu Okada".

Dr. Dean Townsley

A handwritten signature in cursive script that reads "Dean M. Townsley".



Ali Amiri <aamiri1@crimson.ua.edu>

Graduate support status

Ali Amiri <aamiri1@crimson.ua.edu>

Thu, Jun 1, 2017 at 3:51 PM

To: Robert Olin <olin@ua.edu>

Cc: "Leclair, Patrick" <pleclair@ua.edu>, Luoheng Han <luoheng.han@ua.edu>, Conor Henderson <conor.henderson@ua.edu>

Dear all,

Recently I have received a false document from Dr. LeClair. It seems that the document is created due to the insecurity aroused from the Vice President's faulty report. In that report, Dr. LeClair is accused of plagiarism and fabrication. Obviously, such a thing never has been in my report. My report for research misconduct is only against Dr. Gupta. And it is a true claim, and I will definitely prove all of the claims including plagiarism. The NSF Inspector General will handle this case.

From these five people who have signed the false document, Dr. Okada is on my dissertation committee. But the other four people, do not have any information about my research, or basically they don't know anything about me! And I don't know them as well. But based on my general information, all of these people are decent people! And I have heard more or less positive things about them from their students. If they can sign a document without having enough information about the content, what the rest of the people can do!?

I know Dr. LeClair, probably better than all of you. And he knows me as well. Patrick has great leadership skills and can make a group of people to do something he want to be done! But creating this kind of false documents is not a part of his personality. There are other people behind this document, which their name or signature is not in the document! These people spend a lot of time for these kind of things and are less effective in scientific works. But I don't want to fight with the Shadow. And I think the people who signed this document should be held responsible and they have to give their reasons for their actions. And naturally, they will see the consequences of their unethical action.

Finally, I have attached a picture of a piece of art to this email. Usually these artworks are erased in a couple of days. But this special artwork was untouched for more than 5 months in fall 2015 and spring 2016. I have some other artworks of this artist, which will be presented later on, in the right time.

For the time being, you enjoy the artworks of your sincere faculty members.

Thanks,

Ali

[Quoted text hidden]

—

Ali Amiri

Doctoral Candidate

Center for Materials for Information Technology

Department of Physics and Astronomy

University of Alabama



THE SHADOW.jpg
1899K

1 A. It's alluded to by saying that you
2 are not in good academic standing and should not
3 receive financial support. I'm referring back to
4 Exhibit 2, the graduate handbook that would imply
5 that you would be dismissed from the program.

6 Q. I know it means that -- in the
7 graduate handbook, it says that you can take
8 different action. You can reduce the support,
9 you can remove the support, or you can dismiss.
10 So you can take different actions. Here you are
11 telling me that I will not be supported for the
12 fall semester. It means that I will enroll for
13 the fall semester, but I don't have financial
14 support, so I can pay the money myself.

15 A. Based on this e-mail at this
16 particular date, that is correct. You were not
17 going to receive financial support for the
18 following semester, and at that particular
19 moment, yes, you had not been dismissed
20 necessarily, but you were not in good academic
21 standing and were not going to receive financial
22 support.

23 Q. So the e-mail that you sent me on May

1 26th, on that day I am not dismissed? I am not
2 in good academic standing; is this correct?

3 A. On that day, yes.

4 Q. Yes. Please look at Page 10 on this
5 Exhibit Number 4. In this e-mail, I forwarded
6 your e-mail to me to Dr. Robert Olin, the dean of
7 art and science, and I copied you and a few other
8 professors, and I objected to the whole thing,
9 the whole e-mail communication, to the document.
10 So could you please read the first sentence?

11 A. Recently I have received a false
12 document from Dr. LeClair.

13 Q. Yes. So I claimed that the document
14 is false. Could you please read the second
15 paragraph?

16 A. From these five people who have
17 signed the false document, Dr. Okada is on my
18 dissertation committee. But the other four
19 people do not have any information about my
20 research, or basically they don't know anything
21 about me, and I don't know them as well. But
22 based on my general information, all of these
23 people are decent people. And I've heard more or

1 did in 2015 has no bearing on whether or not you
2 were given due process in the -- in your
3 suspension and dismissal from the program. I
4 mean, I understand that you feel as though there
5 were issues with your research and the impact on
6 it, but those don't bear on what the procedure
7 was and whether or not it was an academic or
8 disciplinary dismissal.

9 MR. AMIRI: Okay.

10 MR. DYKES: And, I mean, I
11 understand, and I let you ask questions about the
12 background of the folks on the different
13 committees and the dissertation. I get that,
14 because I understand your argument that the
15 dissertation folks are the ones that are equipped
16 to make that decision, and so -- but --

17 Q. (BY MR. AMIRI:) So then let's look
18 at Exhibit Number 4, Page 8. So this e-mail is
19 about graduate support status that is sent on the
20 26th. And at this point, I'm not dismissed; is
21 this correct?

22 A. On that date, correct.

23 Q. So I just lost my graduate support,

1 yes? Do you know when I was dismissed?

2 A. I would have to look at the
3 documents, but I believe it was in June sometime,
4 but I would have to check the documents.

5 Q. Yes. I asked you to bring the
6 documents that refresh your recollection.

7 MR. DYKES: Right, and the documents
8 that we reviewed are the documents we produced.
9 So you have all the documents that he reviewed to
10 get ready for the deposition today.

11 MR. AMIRI: Yes. And I think the
12 talk is about dismissal, so you should have your
13 documents that states when I was dismissed.

14 MR. DYKES: Well, I -- well, I think
15 that this letter that Patrick sent on May 26th
16 and the University's position is that's when you
17 were dismissed. I understand his testimony.
18 There's the letter from the dean in June that
19 says that you were dismissed from the physics
20 program, and as a result were being suspended
21 from the graduate school, but you have all the
22 documents that we have.

23 MR. AMIRI: But Dr. LeClair is



Graduate Handbook

Department of Physics & Astronomy

University of Alabama

as revised 29-Apr-2016

TABLE OF CONTENTS:

	PAGE
I. INTRODUCTION	3
II. ACADEMIC POLICIES AND REQUIREMENTS	3
A. Scholastic Requirements	3
1. Master's vs. Ph.D. programs	3
2. Academic Advising	3
3. Minimum GPA	4
4. Research	4
5. Good Academic Standing	4
B. Enrollment Policies for Graduate Teaching/Research Assistants	5
C. Policies on Financial Support	6
1. Maintaining Good Academic Standing	6
2. Conditional Admissions	6
3. Teaching Assistantships	6
4. Research Assistantships	6
5. Fellowships	7
6. Summer Support	7
7. Jobs Outside the Department	7
D. Time Limits	7
III. REQUIREMENTS FOR THE DEGREE OF Ph.D.	8
A. Course Requirements	8
1. Core courses	8
2. Sub-area courses	8
3. Research Techniques and Approved Electives	10
4. Seminars, Research Techniques, or Approved Electives	10
5. Dissertation Research	11
B. Qualifying and Preliminary Examinations	11
1. Qualifying examination	11

2. Preliminary examination	11
C. Master's Degree En route to the Ph. D.	12
D. Research and Dissertation	12
1. Selecting a research area and a research advisor	12
2. The dissertation committee	13
3. Final version of the dissertation	13
4. Oral examination	13
IV. M.S. DEGREE	13
A. Qualifying Exam	13
B. M.S. in Physics (Thesis Option – Plan I)	14
1. Course requirements	14
a. Core courses	14
b. Electives	14
c. Research Techniques	14
d. Seminars and pass/fail electives	15
e. Thesis Research	15
2. Selecting a research area and a research advisor	15
3. The thesis committee	15
4. The final version of the thesis	15
5. Oral examination	15
C. M.S. in Physics (Non-Thesis Option – Plan II)	16
1. Course requirements	16
2. Oral examination	16
D. M.S. in Physics with Astronomy Specialization (Thesis Option – Plan I)	16
1. Course requirements	16
a. Core courses	16
b. Electives	17
c. Research Techniques	17
d. Seminars and pass/fail electives	17
e. Thesis Research	17
2. Research and thesis	17
E. M.S. in Physics with Astronomy Specialization (Non-Thesis Option – Plan II)	18
1. Course requirements	18
2. Oral examination	18
V. TRANSFER CREDIT	18

I. INTRODUCTION

The Department offers both the Ph.D. degree in physics and the M.S. degree in physics. The M.S. degree includes both a thesis option (Plan I) and a non-thesis option (Plan II). Both the Ph.D. and the M.S. degrees in physics are offered with specialization in astronomy. The departmental requirements for these degrees are outlined in this manual and in the Graduate Catalog. Checklists, advising worksheets, and the various forms needed for the completion of a degree, can be found in the Academics area of the departmental web site, physics.ua.edu. Students are advised to make personal copies of completed forms before submitting them. Students are subject to the general rules and regulations of the Graduate School as given in the Graduate Catalog as well as the specific rules and regulations of the Department of Physics and Astronomy.

Each student has an individual responsibility to know and understand the rules and regulations of the Graduate School and of the Department and the requirements for the degree that he or she is pursuing. Students are encouraged to consult with their faculty advisors or the department chairperson if these requirements are not clearly understood. Much valuable and up-to-date information can be found on the Graduate School website, graduate.ua.edu. You should also be familiar with the departmental site, physics.ua.edu. Each graduate student will be assigned an academic advisor when the student initially enrolls in the Department. After a student has chosen a research advisor (as described elsewhere in this manual), then the research advisor will replace the academic advisor as the student's faculty advisor (unless they are the same).

II. ACADEMIC POLICIES AND REQUIREMENTS

A. SCHOLASTIC REQUIREMENTS

1. Master's vs. Ph.D. programs

Formal entry into our Ph.D. program is gained by passing the Qualifier Exam (see below). The Graduate Advising Committee will assess whether individual international degrees are equivalent to our Master's degree.

2. Academic Advising

Before registering for classes each semester, students must discuss their academic schedules with an advisor, to help insure that appropriate classes are taken in a timely way (as well as confirm that PH597 or AY597 is enrolled in each semester and, if relevant, insure the appropriate research course is taken). Students must obtain an advisor's signature on the departmental advising worksheet before registering for classes each semester. Students must also obtain an advisor's signature on the departmental drop/add form before dropping or adding courses. These forms are available on the departmental web site.

3. Minimum GPA

According to the Graduate Catalog, a student must maintain a cumulative average of not less than "B" (3.0 on a 4.0 scale) in the graduate courses undertaken at The University of Alabama, and at least 75% of these hours must be completed with grades of not less than "B". Courses in which a student has made a grade of "P" or "S" are not considered in evaluations of academic standing. Students who do not meet these requirements (after having earned 12 semester hours of credit) are placed on academic warning. Warning status must be removed by raising the overall grade point average to "B" or better during the next 12 hours of graduate course work. *Students may not hold an assistantship while on academic warning.* Students who are conditionally admitted must maintain a "B" average during their 12 hours. (PH 597, AY 597, PH 598, and PH 698 can be taken only as pass/fail and cannot be used in computing GPA.) Failure to remove either a warning or conditional status within the prescribed time will result in the student being dropped from the graduate program.

4. Research

Students are encouraged to engage in research as soon as possible and may explore short-term projects with a variety of faculty before solidifying a thesis or dissertation project. When involved in research, students are expected to enroll in one of several possible research courses, depending on their stage in the program. These research courses, along with their constraints, are as follows:

PH 598 – Non-thesis research	(before Qualifier passed)	[P/F]
PH 590 – Research Techniques	(after core courses completed)	[graded]
PH 599 – Thesis research		[P/F]
PH 698 – Non-dissertation research	(after Qualifier passed, before Prelim passed)	[P/F]
PH 699 – Dissertation research	(after Prelim passed; must enroll continuously)	[P/F]

For example, PH 598 is appropriate for a short-term research project undertaken before a student has passed the Qualifying Exam. PH 698 is appropriate for dissertation-related research before a student has passed the Preliminary Exam. These research courses are described further below.

5. Good Academic Standing

Graduate students are required to maintain good academic standing within the Department. **Students who are not in good academic standing may have their financial support reduced or withdrawn, or may be dismissed from the program.** The Departmental requirements for maintaining good academic standing supplement the Graduate School requirements; together, these requirements include (but are not limited to) the following:

- all students must make satisfactory progress toward a degree, meaning that:
 - M.S. and Ph.D. students must:
 - maintain a GPA of at least 3.0 in all graduate work;
 - meet every semester with one's academic advisor;
 - take a sufficient number of courses (including research courses) each semester to satisfy degree requirements in a timely way;
 - regularly attend classes and colloquia;

- make timely progress towards completing the research component of their degrees;
- Ph.D. students must additionally:
 - pass the Qualifying Exam (see §III.B.1) within 2 years (+1 month) of arrival and pass at least one (as yet) un-passed section of each exam administered, starting at the beginning of the second semester;
 - pass the Preliminary Exam (see §III.B.2) within four years of arrival.
- M.S. students who wish to be considered for financial support must also pass the Qualifying Exam (see §III.B.1) within 2 years (+1 month) of arrival and pass at least one (as yet) un-passed section of each exam administered.
- all students must perform their TA or RA duties conscientiously;
- international students must also pass the ITAP language exam within 2 semesters of arrival.

The maintenance of good academic standing with the Department also requires that graduate students conduct themselves responsibly and respectfully towards other members of our academic community. Indeed, the University has a vital interest in the character of its students, and therefore regards behavior at any location (on-campus or off-campus) as a reflection of a student's character and fitness to be a member of the student body. Accordingly, in addition to the relevant academic thresholds, a student's standing with the Department is also contingent on compliance with the Code of Student Conduct and adherence to the Capstone Creed.

B. ENROLLMENT POLICIES FOR GRADUATE TEACHING/RESEARCH ASSISTANTS

The following is a summary of the current graduate school policies regarding course loads for all teaching assistants and research assistants. Physics and Astronomy students should usually enroll in 9-10 credit hours per semester, including courses, research hours (if applicable), and seminar (PH/AY 597) when in residence, in order for degree requirements to be completed in a reasonable time.

Graduate assistants must be full-time graduate students during all periods in which they receive financial assistance from the University or associated agencies. The Graduate School imposes the following enrollment limitations:

<u>TA/RA AWARD</u>	<u>MIN-MAX GRADUATE ENROLLMENT</u>
0.25 FTE	9-15 semester hours
0.50 FTE	6-12 semester hours

In addition it should be noted that immigration regulations limit international students to a maximum of 20 hours per week of employment during the academic year, including any combinations of on- and off-campus positions.

A fellowship, as a non-service award, is outside the scope of these policies. Fellows, by the terms of their appointments, are required to undertake full-time graduate study.

Enrollment during the summer is not mandatory for graduate teaching and research assistants.

C. POLICIES ON FINANCIAL SUPPORT

1. *Maintaining Good Academic Standing*

A graduate student must maintain good academic standing within the Department (as described in §II.A.5.); consequences of not maintaining good academic standing are described in §II.A.5.

2. *Conditional Admissions*

When an applicant's entrance exam or GPA score is not up to University minimum requirements, admission is "conditional." There are two important consequences of this: 1) if you do not maintain a graduate GPA of 3.0 or better while in conditional status, you will lose your assistantship; 2) if your GPA is below 3.0 at the end of the term in which you complete your 12th credit hour, you will be dismissed from the program. These two policies are applied rigorously by the Graduate School, so you are urged to apply yourself diligently to your coursework your first year if you are admitted conditionally.

3. *Teaching Assistantships*

A new graduate student who has been awarded a teaching assistantship can normally expect to have the TA renewed as long as s/he is in good academic standing (see §II.A.5.), as stipulated by the student's advisor and the department chairperson, and as long as funds are available. There are time limits, however, on the total number of years that a student may hold a TA. A student working toward a M.S. degree will normally be expected to complete the degree requirements within two years, and financial support will not routinely continue beyond that period. In special cases, upon petition and approval of the department chairperson, financial support may be continued for up to three years. A maximum of six years of TA support is allowed for Ph.D. students. This does *not* mean, however, that students are automatically guaranteed six years of support. Students are encouraged to graduate in a timely manner, and support will not be continued if it is decided that the student is not making adequate progress. Students who are required to pass the International Teaching Assistant Program (ITAP) exam must do so by the end of their second semester in order to receive continued TA support.

4. *Research Assistantships*

Students are encouraged to start research as soon as practical, by discussing opportunities for research with faculty in their area of interest. Many students are supported on research assistantships after their first or second year in residence. This enables a student to focus on research, and make speedier progress toward his or her degree. RAs are generally funded by external grants obtained by faculty members. The amount of the RA stipend varies somewhat, but is usually at least as much as a TA stipend. Continuation of a research assistantship is contingent on the student's satisfactory progress and maintenance of good academic standing, as well as on the availability of funds, which may change from year to year. When a student's research assistantship is not renewed, he or she will be considered for a teaching assistantship, using the criteria of length of time in the graduate program, academic standing (including progress toward degree; see §II.A.5.), and availability of TA funds.

5. Fellowships

The Graduate School has several fellowship programs for which students may apply. Graduate Council Regular Fellowships are primarily awarded to exceptional incoming students. Graduate Council Research Fellowships are for students doing research that is funded externally, or may lead to external funding. Dissertation Fellowships are for students in the final stages of the research leading to their dissertation. Physics and Astronomy students have been rather successful in receiving these fellowships, especially the latter two, which carry nice stipends and a certain amount of prestige. Students do not apply directly for these fellowships, but must be nominated by the department. Let your advisor know if you are interested. Check the Graduate School website for more information.

6. Summer Support

For first-year students in good academic standing, summer support is guaranteed by the department during the summer following their first spring semester. For international students, this support is contingent upon passing the ITAP exam by the end of their second semester. The support may be in the form of a RA or a TA. In subsequent years, support is not guaranteed, but almost all students are supported on some sort of assistantship or fellowship. Students interested in summer RA support should approach faculty in their area of interest to see if support is available. Students do not need to register for courses during the summer, and are encouraged to spend as much time on research as possible.

7. Jobs outside the Department

Teaching and research assistants who hold a 0.5 FTE or greater appointment are not allowed to hold additional employment outside the Department, with the exception of tutoring, without special permission from the department chairperson. The Department's policy is that time not taken up by assistantship duties should be devoted to course work, research, and other degree requirements. Since tutoring aids graduate students in learning the fundamentals of their discipline, a maximum of 5 hours of tutoring per week is allowed. Tutoring students for pay in a course in which you are assigned is not allowed.

D. Time Limits

Master's: All requirements for the Master's degree must be completed during the six years (18 fall, spring, and summer semesters) immediately preceding the date on which the degree is to be awarded.

Ph.D.: All requirements for the doctoral degree must be completed within the seven-year period (21 fall, spring, and summer semesters) following admission to the doctoral program. A single one semester extension may be granted in compelling extenuating circumstances. If the time limit is exceeded, the student will need to reapply to the Ph.D. program and, upon readmission, retake classes that were taken more than 7 years previously.

III. REQUIREMENTS FOR THE Ph.D. DEGREE

A. COURSE REQUIREMENTS

Course requirements for the Ph.D. in Physics or with Astronomy specialization (totaling 48 semester hours of coursework and 24 semester hours of research) consist of 5 components:

1. Core Courses (18 semester hours)
2. Sub-Area Courses (12 semester hours)
3. Research Techniques and approved electives (9 semester hours)
4. Seminars, Research Techniques, or approved electives (9 semester hours)
5. Dissertation Research – PH 699 (24 semester hours)

Advising Worksheet: A Graduate Student Advising Worksheet must be kept on file with the department office beginning the second semester of enrollment. The worksheet on file should be updated each subsequent semester, to keep current. Worksheets for each degree program and sub-area can be found at <http://physics.ua.edu/grad/advising/>. An "Outline of Ph.D. Program (Plan of Study)" form based on this worksheet must be submitted to the Graduate School by the semester in which 30 hours have been earned.

1. Core courses (18 hours)

The core courses consist of:

- PH 501 – Classical Dynamics
- PH 531 – Electromagnetic Theory I
- PH 532* – Electromagnetic Theory II
- PH 541 – Quantum Mechanics I
- PH 542* – Quantum Mechanics II
- PH 571 – Statistical Physics

Courses marked with * may be substituted by some sub-area courses (see below).

The customary schedule for completing these core courses is to take two each semester, starting in the first semester, in the following sequence:

- First Fall: PH 501, PH 531
- First Spring: PH 541, PH 532* and/or PH 571
- Second Fall: PH 542*

The completion of any of the above courses (or the equivalent, as approved by the graduate director or department chair) with a grade of B (3.0/4.0) or better prior to enrolling as a graduate student in this department may fulfill the requirement for that course (see §V. Transfer Credit).

2. Sub-Area Courses (12 hours)

Students must take 4 courses (12 semester hours) in their chosen sub-area. These should be chosen in consultation with and approved by the student's research advisor (if chosen) or the graduate advisor responsible for their sub-area. Substitution of courses within the sub-area

courses other than those listed here should be made only at the recommendation of the student's research advisor and should represent a similar level substitution which is more applicable to the student's research specialty. The suggested courses for each sub-area are as follows:

Condensed Matter Physics

1. PH 581 – Solid State Physics
2. PH 585 – Magnetism and Magnetic Materials
3. PH 586 – Advanced Magnetism and Magnetic Phenomena
4. PH 681 – Advanced Solid State Physics
- frequently taken additional courses:
 - PH 591 – Advanced Laboratory
 - PH 534 – Digital Electronics

High Energy Particle Physics Theory

1. PH 523 – Relativity
2. PH 561 – Nuclear & Elementary Particle Physics
3. PH 641 – Relativistic Quantum Mechanics
4. PH 642 – Quantum Field theory
- frequently taken additional courses:
 - PH 661 – High Energy Physics
 - PH 662 – High Energy Physics II

Experimental Particle Physics

1. PH 561 – Nuclear & Elementary Particle Physics
2. PH 641 – Relativistic Quantum Mechanics
3. PH 642 – Quantum Field Theory OR PH 591 – Advanced Lab
4. PH 661 – High Energy Physics

Astrophysics (within Astronomy specialization)

- core substitutions:
- | | |
|------------------------------------|----------------------------|
| AY 640* – Radiative Processes | in lieu of PH 532 (E&M II) |
| AY 521* – Theoretical Astrophysics | in lieu of PH 542 (QM II) |

-
1. AY 533 – Observational Techniques
 2. AY 550 – Stars & Stellar Evolution
 3. AY 620 – Extragalactic Astrophysics
 4. AY 630 – Galaxy & Stellar Dynamics
 - frequently taken additional courses:
 - AY 580 – Cosmology
 - PH 523 – Relativity

Astroparticle Physics (within Astronomy specialization)

- optional core substitution:
- | | |
|-------------------------------|--------------------|
| AY 640* – Radiative Processes | OR PH 532 (E&M II) |
|-------------------------------|--------------------|

-
1. AY 521 – Theoretical Astrophysics
 2. AY 580 – Cosmology

- 3. PH 523 – Relativity
- 4. PH 561 – Nuclear & Elementary Particle Physics

Courses marked with * may be taken in lieu of the indicated core course only by students within the indicated sub-area. Students must submit a plan of study indicating their sub-area before opting out of the relevant core course.

In some sub-areas, courses past the 4 required sub-area courses are those commonly taken instead of Research Techniques courses (see below). Students should consult their advisor as to which of these they should take.

Typically, one sub-area course is taken each semester, along with core courses, so they are completed by the end of a student's 4th semester. Many of these courses are offered only every other year, so students should consult with their advisor for appropriate scheduling.

3. Research Techniques and Approved Electives (9 hours)

In addition to the core and sub-area courses, an additional 9 semester hours of graded work is required. This will typically consist of Research Techniques (PH 590) taken with the student's chosen research advisor **after core courses are completed**. This 3-hour course can be repeated. The intention is for the student to learn, in an interactive research-oriented setting, research techniques and background even more specific to the sub-field in which they are working than the sub-area courses. It is allowable to instead take additional elective courses pertaining to this goal (with the consent of the student's advisor), as long as a total of 9 semester hours of graded coursework results.

4. Seminars, Research Techniques, or Approved Electives (9 hours)

For each semester in residence, full-time students are required to enroll for one hour of PH 597 (Physics Seminar) or AY 597 (Astrophysics Seminar), which are graded on a pass/fail basis. Up to 9 semester hours of seminars (PH 597 or AY 597), can be counted toward the Ph.D. degree. Thus, this requirement will typically be satisfied automatically. If otherwise necessary, these hours may be fulfilled by additional coursework, including Non-thesis Research (PH 598), Non-Dissertation Research (PH 698), additional instances of Research Techniques (PH 590), and approved electives. Note that no more than 9 semester hours of pass/fail coursework (AY 597, PH 597, PH 598, PH 698) can be counted toward the Ph.D. degree.

Physics Seminar requirements include attending at least 10 sub-area seminars (e.g., MINT or Theory) and/or departmental colloquia. First-year physics students must attend a minimum of one MINT and one Theory seminar. For students in the second year and beyond, the division among seminars and departmental colloquia will be determined by the student's advisor, in consultation with the student. Students in the 2nd year and beyond must also make one presentation each semester.

Astrophysics Seminar requirements include attending weekly astronomy seminars, departmental colloquia, and making presentations, starting in the first semester.

Other course requirements: Of the 18 hours taken under A.3 and A.4, a maximum of 12 hours may be taken outside the department. These courses, which must be at the graduate level and relevant to their research, should be from the following departments: Mathematics, Computer Science, Chemistry, Biology, Geology, and departments within the College of Engineering.

5. Dissertation Research (24 hours)

Students are required to earn at least 24 hours of dissertation research (PH 699). However, a student cannot gain credit for Dissertation Research (PH 699) before passing the Preliminary Exam. Note that, once initiated, enrollment in PH 699 must be continuous until the Ph.D. is awarded. (See also §III.D below.)

B. QUALIFYING AND PRELIMINARY EXAMINATIONS

There are two separate exams that a prospective Ph.D. candidate must pass. The first of these, the Qualifying Exam, is given early in the student's career and covers primarily advanced undergraduate physics; **passing the Qualifying Exam is a requirement for formally entering the Ph.D. program.** The second exam, the Preliminary Exam, is given before the dissertation research is begun and is more closely related to the student's research area; passage of this exam formally admits one to candidacy for the Ph.D.

1. Qualifying Examination

The Qualifying Exam is given in part each January and August. Students who do not pass by January of their 3rd year are no longer eligible for the Ph.D. (students entering in January have until August of their 3rd year). Passing the Qualifying Exam in a timely way is necessary (but not sufficient) to maintain good academic standing (see §II.A.5.). Entering students are encouraged to take the exam offered at the beginning of their first semester, but, as noted in §II.A.5, there is no minimum performance required to maintain good academic standing until the beginning of the second semester. As an alternative to passing the Qualifying Exam, **entering** students can submit a Physics GRE score of at least 70th percentile.

The Qualifying Exam is a written test consisting of four parts covering four areas of undergraduate Physics: the January exam covers Electricity & Magnetism (Part I) & Classical Mechanics (Part II); the August exam covers Quantum Mechanics (Part III) & Thermal Physics (Part IV). Each part must be passed separately with a score of at least 70%. Passing an individual part means it does not need to be repeated in subsequent tries (if subsequent tries are necessary). Students can appeal only in borderline cases (if a student makes 65% or more). The committee will review appeals and make final decisions.

2. Preliminary Examination

The Preliminary Exam focuses on the student's area of specialization, and may include areas of graduate-level physics related to the research. The student in consultation with his/her research advisor chooses a committee consisting of four faculty members. The advisor will not be a member of the committee but will be invited to observe the examination. The department chairperson must

approve the committee. A form to be used in selecting the committee is provided on the department website. No more than one committee member can be from outside the department. Students without a research advisor will not be allowed to take the exam.

The Preliminary exam should be passed as early as possible once the student has finished all core courses and sub-area courses and has begun actual dissertation research (normally before the end of a student's 7th semester and no later than the end of the student's 8th semester). The exam consists of two parts: a written research plan and an oral examination. The written research plan (normally 2000-3000 words) developed with the research advisor must be submitted to the committee members two weeks before the oral exam. The research plan should include a description of the problem to be addressed, a literature survey, the approach that will be undertaken to tackle the problem, and a discussion of expected results. The oral examination will consist of a forty-minute presentation of the research plan followed by questions from the committee on the research plan and the application of graduate level coursework to the proposed research. The decision to pass or fail will be based on these two criteria: 1) the student's knowledge of graduate-level physics and 2) the feasibility of the proposed research plan. No more than one dissenting vote is allowed for a pass.

The Preliminary Exam chairperson will notify the department chairperson in writing of the committee decision after the student attempts the exam. After the student has passed the exam, the Preliminary Exam Committee will sign the Application for Admission to Candidacy form. Only two attempts of the Preliminary Exam are permitted. Passing the Preliminary Exam within four years of arrival is necessary (but not sufficient) to maintain good academic standing (see §II.A.5.). Consequences of not maintaining good academic standing are described in §II.A.5.

C. MASTER'S DEGREE ENROUTE TO THE Ph.D.

Once a student has successfully passed the Preliminary Exam, s/he has automatically satisfied the requirements for the Plan II Master's Degree. This is because the Preliminary Exam can be substituted for the comprehensive master's exam. In order to receive the M.S. degree, the student need only submit two forms: an online Application for Degree (through mybama), and the Master's Comprehensive Exam form.

D. RESEARCH AND DISSERTATION

1. Selecting a research area and a research advisor

The selection of a research area and advisor should be made as soon as possible after the student has passed the Qualifying Examination. A student cannot gain credit for Dissertation Research (PH 699) before s/he passes the Preliminary Exam. The student should first interview several faculty members whose research may be of interest to the student, and the faculty members will describe potential research projects. The selection of a research area and a research advisor will then be made by agreement between the student and the advisor. As soon as the selection is made, both the student and the advisor must notify the department chairperson in writing. If a student and research

advisor mutually agree to end their relationship, the student and advisor must both notify the department chairperson in writing of this action. The student must then begin the selection process again. The Department requires that all students doing research toward a degree be supervised by a research advisor approved by the Department. The student must keep his/her advisor fully and regularly informed of the progress of his/her research. Failure to do so could result in the dissertation not being approved.

2. The dissertation committee

The student, in consultation with his/her advisor and the department chairperson, will form a Dissertation Committee soon after the Preliminary Examination is passed (by the end of the same semester). The committee will consist of five members of the Graduate Faculty, including the research advisor as committee chairperson, three other faculty members from the Department of Physics and Astronomy, and one faculty member of another department. (The external committee member may be from another institution if prior approval is obtained from the Dean of the Graduate School.) The chair must be a full member of the Graduate Faculty. Students doing theoretical (experimental) dissertations are advised to have at least one faculty member on the committee who is an experimentalist (theorist). At least one departmental member of the committee should be from an area outside the student's major research concentration. If the research advisor is not a regular member of the department (either external or adjunct), a regular member of the department must serve as co-chair. An advisor from outside the department would also serve as the external member of the committee. A form to use in selecting the committee is available on the department website. **The student is required to meet with the Dissertation Committee at least once a year for assistance in monitoring and guiding the student's research.**

3. Final version of the dissertation

A final version of the dissertation will be given to each of the five members of the Dissertation Committee at least two weeks before the oral defense. The student is responsible for all aspects of the production of the dissertation, including the preparation, typing, reproduction, dissemination to the committee members, and all costs involved. Departmental resources cannot be utilized for the production of the dissertation. Please submit a clean, unbound copy of your completed dissertation to the office after your defense, for our permanent records.

4. Oral examination

A final oral examination must be passed after completion of the dissertation. This examination follows a public presentation by the candidate on the results of his or her research. The examination will be primarily on the candidate's research work as embodied in the dissertation, but it may also encompass the complete program for the degree. The examining committee will be the Dissertation Committee previously described. No more than one dissenting vote is allowed for a pass. The student may take the oral examination only once.

IV. M.S. DEGREE

A. Qualifying Exam

M.S. students are not required to pass the Ph.D. Qualifying Exam (see §III.B.1) in order to earn the M.S. degree. However, to remain in good academic standing, M.S. students must pass the Qualifying Exam within 2 years (+1 month) of arrival and pass at least one (as yet) un-passed section of each exam administered. Consequences of not maintaining good academic standing are described in §II.A.5.

B. M.S. IN PHYSICS (Thesis Option – Plan I)

1. Course requirements

A total of 24 semester hours of coursework is required, in addition to 6 semester hours of research.

Course requirements for the M.S. (with thesis) consist of 5 components:

- a. Core Courses (12 semester hours)
- b. Electives (6-9 semester hours)
- c. Research Techniques (0-3 semester hours)
- d. Seminars (3 semester hours)
- e. Thesis Research – PH 599 (6 semester hours)

Advising Worksheet: A Graduate Student Advising Worksheet must be kept on file with the department office beginning the second semester of enrollment. The worksheet on file should be updated each subsequent semester, to keep current. Worksheets for each degree program and sub-area can be found at <http://physics.ua.edu/grad/advising/>.

a. Core courses (12 hours)

The four Physics M.S. core courses consist of:

- PH 501 – Classical Dynamics
- PH 531 – Electromagnetic Theory
- PH 541 – Quantum Mechanics
- PH 571 – Statistical Physics

The customary schedule for completing the M.S. core courses is to take two each semester, starting in the first semester, in the following sequence:

- First Fall: PH 501, PH 531
- First Spring: PH 541, PH 571

b. Electives (6-9 hours)

Students must take at least graded 2 electives (6 semester hours). As many as 2 Ph.D. core courses (beyond the M.S. core) may be taken as electives. Electives should be chosen in consultation with and approved by the student's advisor (if chosen) or a member of the Graduate Advising Committee. These electives, which must be at the graduate level, should be from the following departments: Physics, Mathematics, Computer Science, Chemistry, Biology, Geology, and departments within the College of Engineering. A maximum of 6 credit hours from outside the department can count for the M.S. degree.

- **c. Research Techniques (0-3 hours)**

Up to 3 semester hours of Research Techniques (PH 590), taken with the student's chosen research advisor after the core courses are completed, can be counted toward the M.S. degree.

- d. Seminars and pass/fail electives (3 hours)**

For each semester in residence, full-time students are required to enroll for one hour of PH 597 (Physics Seminar), which are graded on a pass/fail basis. Up to 3 semester hours of seminars (PH 597) can be counted toward the M.S. degree. Thus, this requirement will typically be satisfied automatically. Note that no more than 3 semester hours of pass/fail coursework (PH 597, PH 598) can be counted toward the M.S. degree.

- e. Thesis Research (6 hours)**

Students are required to earn at least 6 semester hours of thesis research (PH 599), discussed further below.

2. Selecting a research area and a research advisor

A student should first interview several faculty members whose research may be of interest to the student, and the faculty members will describe potential research projects. The selection of a research area and a research advisor will then be made by agreement between the student and the advisor. As soon as the selection is made, both the student and the advisor should notify the department chairperson of the decision in writing. The selection should be done before or during the second semester of graduate study. The Department chairperson must also be notified in writing of any change of research advisor.

3. The thesis committee

After selection of a research advisor and research area, the student, in consultation with his/her advisor and department chairperson, will form a Thesis Committee. The committee will consist of at least three members, including the research advisor as committee chairperson, one other faculty member from the Department of Physics and Astronomy, and one faculty member from another department. (The external committee member may be from another institution if prior approval is obtained from the Graduate Dean.) A form to use in selecting the committee is available on the department web site.

4. The final version of the thesis

A final version of the thesis will be given to each of the members of the Thesis Committee at least two weeks before the oral defense. The student is expected to be responsible for all aspects of the production of the thesis, including the preparation, typing, reproduction, dissemination to the committee members, and all costs involved. Departmental resources cannot be utilized for the production of the thesis.

5. Oral examination

A final oral examination must be passed after completion of the thesis. The examination will be both a comprehensive examination on the master's degree program as well as an examination of the candidate's research work as embodied in the thesis. The examining committee will be the Thesis Committee previously described. No more than one dissenting vote is allowed for a pass. The student may take the oral examination only once.

C. M.S. IN PHYSICS (Non-Thesis Option – Plan II)**1. Course requirements**

A total of 30 semester hours of course work is required. The course requirements are the same as for the M.S. degree with thesis (§IV.A.1) except that, in place of PH 599 (Thesis Research), the student will take 6 additional hours of advisor-approved electives. These 6 hours must be graded Physics courses (not P/F) and cannot include PH 590 – Research Techniques.

2. Oral examination

A comprehensive oral examination on the course content of the M.S. (non-thesis) program must be passed during the last semester of study. The committee will consist of at least three members of the department to be chosen by the department chairperson in consultation with the student. No more than one dissenting vote is allowed for a pass. The student may take the oral examination no more than twice. Note: A student en route to a doctoral degree may substitute the Preliminary Exam for this M.S. oral exam.

**D. M.S. IN PHYSICS WITH ASTRONOMY SPECIALIZATION
(Thesis Option – Plan I)****1. Course requirements**

A total of 24 semester hours of coursework is required, in addition to 6 semester hours of research.

Course requirements for the M.S. in Physics with Astronomy Specialization (with thesis) consist of 5 components:

- a. Core Courses (12 semester hours)
- b. Electives (6-9 semester hours)
- c. Research Techniques (0-3 semester hours)
- d. Seminars (3 semester hours)
- e. Thesis Research – PH 599 (6 semester hours)

Advising Worksheet: A Graduate Student Advising Worksheet must be kept on file with the department office beginning the second semester of enrollment. The worksheet on file should be updated each subsequent semester, to keep current. Worksheets for each degree program and sub-area can be found at <http://physics.ua.edu/grad/advising/>.

a. Core courses (12 hours)

The four M.S. core courses consist of:

PH 501 – Classical Dynamics
PH 531 – Electromagnetic Theory
PH 541 – Quantum Mechanics
AY 521 – Theoretical Astrophysics OR AY 533 – Observational Techniques

b. Electives (6-9 hours)

Students must take at least 2 electives (6 semester hours). As many as 2 Ph.D. core courses (beyond the M.S. core) may be taken as electives. Electives should be chosen in consultation with and approved by the student's advisor (if chosen) or a member of the Graduate Advising Committee. These electives, which must be at the graduate level, should be from the following departments: Physics, Mathematics, Computer Science, Chemistry, Biology, Geology, and departments within the College of Engineering. A maximum of 6 credit hours from outside the department can count for the M.S. degree.

c. Research Techniques (0-3 hours)

Up to 3 semester hours of Research Techniques (PH 590), taken with the student's chosen research advisor after the core courses are completed, can be counted toward the M.S. degree.

d. Seminars and pass/fail electives (3 hours)

For each semester in residence, full-time students are required to enroll for one hour of AY 597 (Astronomy Seminar), which are graded on a pass/fail basis. Up to 3 semester hours of seminars (AY 597) can be counted toward the M.S. degree. Thus, this requirement will typically be satisfied automatically. Note that no more than 3 semester hours of pass/fail coursework (AY 597, PH 598) can be counted toward the M.S. degree.

e. Thesis Research (6 hours)

Students are required to earn at least 6 semester hours of thesis research (PH 599).

2. Research and thesis

The general rules concerning research and the thesis that apply to the M.S. in Physics also apply to the M.S. in Physics with Astronomy specialization.

E. M.S. IN PHYSICS WITH ASTRONOMY SPECIALIZATION (Non-Thesis Option – Plan II)

1. Course requirements

A total of 30 hours of graduate course work is required. The course requirements are the same as for the M.S. degree in Physics with Astronomy Specialization (thesis option; §IV.C.1) except that, in place of PH 599 (Thesis Research), the student will take 6 additional hours of advisor-approved electives. These 6 hours must be graded Astronomy courses (not P/F) and cannot include PH 590 – Research Techniques.

2. Oral examination

The student must pass an oral examination as described under the M.S. in Physics (without thesis) described in §B.2 above.

V. TRANSFER CREDIT

Students are allowed to apply for transfer of graduate credit earned at another institution. In order for a course to be considered for transfer credit, the student must have earned a minimum grade of “B” on the course. In addition, the student must have achieved an overall average of “B” or better on all courses attempted at the institution from which transfer credit is being requested. The Graduate School must have an official transcript of the credit involved. Up to 1/2 of the required course work for a Ph.D. or M.S. degree is allowed to be transferred, with the approval of the department and the dean of the Graduate School. All credit toward the Master's degree must have been earned during the six years immediately preceding the date on which the degree is awarded. All credit toward the Ph.D. degree must have been earned during the six-year period preceding admission to the doctoral program. A form is available on the department website for submission to the Graduate School in applying for transfer credit.

In some cases, the Graduate School will be unable to grant transfer credit based on the information they have, and may suggest the student submit his or her transcripts to World Education Services (www.wes.com). Upon the recommendation of the department's Graduate Advising Committee, the department will cover the \$125 fee for the WES services.

MA

Mr. Ali Amiri
Box 870324
Aamiri1@crimson.ua.edu

The information you submitted to the Office of Research Compliance the week of April 24 for allegations of misconduct has been carefully reviewed. The information you provided was in support of your allegations of plagiarism and fabrication against Dr. Arun Gupta and Dr. Patrick LeClair. At this time, it has been determined that the information provided does not support claims of plagiarism and fabrication. However, if you would like to submit any additional documentation related to this matter to support your claim, I am willing to review the additional information to provide an assessment.

Furthermore, according to the University of Alabama's Data Retention Policy, scientific records for research and sponsored projects belong to UA. Conversely, members of the research team will be allowed reasonable access to the data, and any materials with which they have been working and research personnel must ensure that PIs are provided with copies of all data generated by the grant-supported project.

Should you have additional questions or concerns about research misconduct, please contact Ms. Tanta Myles.

Carl Smith

C: Dr. Patrick LeClair
Mr. Mike Spearing
Ms. Tanta Myles



Ali Amiri <aamiri1@crimson.ua.edu>

CONFIDENTIAL

Ali Amiri <aamiri1@crimson.ua.edu>

Wed, May 31, 2017 at 11:21 PM

To: "Pinkert, Carl" <cap@ua.edu>

Cc: "Leclair, Patrick" <pleclair@ua.edu>, "Spearing, Michael" <mspearing@uasystem.edu>, Carpentato Myles <cmyles@research.ua.edu>

Dr. Pinkert,

I have received your opinion on the reported research misconduct. Unfortunately the opinion is not appropriately related to the subject matter. The main problems with your opinion are as below:

- 1) There is a false accusation against Dr. Patrick LeClair. There has been no claim against Dr. LeClair in my report. I think Ms. Tanta should apologize to Dr. LeClair for her mistake. This is an unacceptable mistake and has created a chaos in the physics department. (I have recorded the full report, and the audio file is of very good quality)
- 2) The main purpose of the report was to get access to an instrument called Pulse Laser Deposition System (PLD), which is necessary to publish my scientific findings, and get graduated. This was emphasized several times during the report. You even did not mention this subject in your opinion. This was the main subject!
- 3) The second important subject was prevention of research data leakage, and I have provided concrete information in this regard. You did not mention this important issue in your report as well. If the technology I have discovered leaks to another university or another county, the lawsuit will not be less than 500 million dollars.
- 4) The last thing was my claim about plagiarism and fabrication against Dr. Arunava Gupta. I told that I am willing to drop these charges ONLY if I get access to PLD in a week or so. Then I have presented clear and solid facts, and also, I have asked for further investigation. Your investigation took more than a month, and your conclusion is incorrect. Can you please provide me with a more detailed report of your investigation?

Since, more than a month is past from the report, and my access to the labs was completely restricted, which is another strange reaction. I will not drop these charges anymore.

Regard the intellectual property:

I have been in contact with Office of Technology Transfer from January 2017, and we have had several meetings. Including a meeting I had with the director, Dr. Rick Swatloski with this regard. We have communicated the conditions for patenting and industrialization in details.

(Here I should appreciate Dr. LeClair for giving me the right information about the patent procedure. Although he did not support my idea for this device, and he has rejected my ideas, but he was still genuine enough to tell me the right information regard patenting).

We should move forward and prepare the ownership documents. Based on the university patent policy (Appendix G - Section four), the President of the University will authorize and sign this document. I will send a separate email to the President Dr. Stuart Bell with this regard. I would expect to receive my ownership documents within a week. And I will try to have my contract with industry before the end of this summer, preferably through OTT of the UA.

NSF Report:

Yesterday, I have received an email from the National Science Foundation. It was about a report and inquiry about the possibility of discrimination based on race, etc.

Although my project is funded by NSF, this is my first contact with NSF. And they have contacted me, which means there has been a report from UA to NSF with this regard. I have not responded to this email yet, but I will do so in the next few days.

Could you please submit your investigation results to the NSF Office of Inspector General? So they can continue and complete the investigation.

Also, if you don't mind, can I send the audio file of my report to Ms. Tanta to them? (I have listened to this audio file several times, and I think it is a clear and perfect report for this research misconduct).

Thanks,

Ali

[Quoted text hidden]

—

Ali Amiri
Doctoral Candidate
Center for Materials for Information Technology
Department of Physics and Astronomy
University of Alabama



The OIA would be happy to meet and further discuss this matter if deemed appropriate. Please advise of any additional questions and/or comments.

Regards,

Charlie Dorsey

Charles Dorsey

Director, Office of Threat Assessment

The University of Alabama

office 205-348-2834

cdorsey@fa.ua.edu | <http://threatassessment.ua.edu>

From: Carvalho, Susan [<mailto:scarvalho@ua.edu>]

Sent: Friday, June 23, 2017 4:35 PM

To: Charles Dorsey <cdorsey@fa.ua.edu>; rmwilsie@bama.ua.edu

Cc: Pagani, Cathy <cathy@ua.edu>; Han, Luoheng <luoheng.han@ua.edu>

Subject: FW: Five Topics for One Dissertation!

Dear Dir. Dorsey and Sgt. Wilsie – after discussion today with Dean Olin of A&S, and Associate Dean Cathy Pagani of the Graduate School, I am forwarding the email chain below, and its attachments, from graduate student Ali Amiri. The College of A&S is concerned that Mr. Amiri has not responded to messages that direct him toward appropriate academic grievance channels, and is instead reaching out directly to the president and provost with his repeated accusations of misconduct.

Can you clarify for me whether this particular message should be handled through regular academic channels, or whether it should be handled in concert with your office? The specific academic questions are the following (associate dean Luoheng Han of A&S or Cathy Pagani, both cc'd here, may add other concerns to this list):

- The two faculty members who have been directing Mr. Amiri's doctoral research no longer wish to direct his project, due to his failure to progress along the lines they have laid out for his research. Should we proceed to identify other directors, since a student cannot continue doctoral research without direction?
- Will his lack of further access to research facilities interfere with his academic standing in the program? Or do you consider that he is still an enrolled doctoral student, but without a lab?
- Is the Office of Legal Counsel involved in this case, and will they or you be making a determination about his continued status as a UA doctoral student? Or should we discuss this with Legal Counsel ourselves?
- Do you have suggestions or a plan to urge him to cease sending further messages to those who are not involved in the grievance hierarchy? Or should we proceed with addressing that?

We are available to discuss this in person or by phone. Since we understand that your office has been involved with this student in the past, we don't want to pursue separate channels until consulting with you. Thanks,

Susan Carvalho



From: Han, Luoheng
 To: Carvalho, Susan
 Cc: Greer, Jennifer
 Subject: FW: FW: Graduate support status
 Date: Tuesday, June 27, 2017 12:16:58 AM

FYI.

On 6/27/17, 12:10 AM, "Patrick Leclair" <pleclair@mint.ua.edu> wrote:

Luoheng,

We do not have much in writing unfortunately. Most of the assessment (until the 7th year is approaching) has been done in face-to-face discussions with research advisors, the dissertation committee members, etc. I usually met with Ali about once a week to discuss research in my office. I will see if I can find some relevant emails, but I doubt there is much that will be helpful. I can say that one of the main metrics the department uses is the number of publications the student has, which is zero in Ali's case.

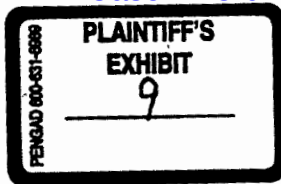
The department did do a formal assessment of his research progress this spring, when the graduate advising committee considered the progress of all students in or about to enter their 7th year. That is what led to the letter from the graduate advising committee.

Beyond that, the only other departmental assessment of his research progress was his preliminary examination, which he passed in March 2015. A couple of points about that. One, that exam is only a proposal for a PhD dissertation, indicating that the student has a plausible plan. It does not require having significant preliminary data, publications, etc. Failing to complete the prelim is clearly a sign that progress is not being made, but passing it does not automatically indicate everything is OK either - it just indicates that there is a plausible plan in place that the student still has to execute. Two: in March 2015 we did consider that Ali was making good progress, but he has not progressed since then.

I discussed today with Conor Henderson (our grad director), and indicated that from this point forward that we need a written progress report for all doctoral students each semester so we have a record of their progress. It has usually been the case that students are given the benefit of the doubt if they are not close to their 7 year deadline and their advisor will vouch for them. This is something I have been eager to change since I started as chair, and we will be much more rigorous about establishing a record of progress from this point on.

-patrick

Dr. Patrick R. LeClair
 Assistant Professor
 Undergraduate Director
 Department of Physics and Astronomy
 Box 870324
 University of Alabama



Box 870118
Tuscaloosa, AL 35487
Phone 205-348-8283 | Mobile 205-239-8192
amg@ua.edu | http://graduate.ua.edu

he University of Alabama



[Twitter](#) | [Facebook](#) | [YouTube](#)

From: Susan Carvalho <scarvalho@ua.edu>

Date: Monday, July 3, 2017 at 11:14 AM

To: "Williams, Libby" <lwilliam@aalan.ua.edu>, Angela Abrams <ayabrams@bama.ua.edu>, "Taylor, Ashley" <abtaylor4@ua.edu>, "Mason, Margaret" <mcmason1@ua.edu>, "Fuller, Patrick" <patrick.d.fuller@ua.edu>, "Stewart, Aubrey" <alstewart4@ua.edu>, "Goodliffe, Andrew" <amg@ua.edu>

Subject: Ali Amiri, CWID ~~XXXXXXXXXX~~

Hi all – the student referenced above has been dismissed from his doctoral program (Physics). He is an international student. If he submits an application to any other graduate program in the coming weeks, please let me know.

Thanks,

Susan Carvalho

Susan Carvalho

Associate Provost and Dean

Graduate School

The University of Alabama

102 Rose Administration Bldg.

Box 870118

Tuscaloosa, AL 35487

Phone 205-348-8280 | Mobile 859-618-4399

scarvalho@ua.edu | http://graduate.ua.edu

he University of Alabama



From: Carvalho, Susan
To: Goodliffe, Andrew; Williams, Libby; Angela Abrams; Taylor, Ashley; Mason, Margaret; Fuller, Patrick; Stewart, Aubrey
Subject: Re: Re: Ali Amiri, CWID 11342916
Date: Tuesday, July 04, 2017 6:02:51 PM
Attachments: image001.png

Yes, it has now. The department did not notify us at the time of dismissal - they just notified us last week. Beth has sent the letter informing him of the hold. Charter spoke with him by phone and thinks he will want to find a way to stay in the US. Other issues in his case make me want to stay informed. Thanks!

Susan

Susan Carvalho, Ph.D.
Associate Provost and Dean of the Graduate School
University of Alabama
102 Rose Administration Bldg.
Tuscaloosa AL 35487
205-348-5921 (office)
859-618-4399 (mobile)

----- Original message -----

From: "Goodliffe, Andrew"
Date: 7/4/17 5:10 PM (GMT-06:00)
To: "Carvalho, Susan", "Williams, Libby", Angela Abrams, "Taylor, Ashley", "Mason, Margaret", "Fuller, Patrick", "Stewart, Aubrey"
Subject: Re: Ali Amiri, CWID 11342916

Susan,

Do you know if a hold has been put on the student in Banner – this is usually how we catch these sorts of cases.

Andy

Andrew M. Goodliffe
Assistant Dean and Associate Professor of Geophysics

Graduate School
The University of Alabama
102 Rose
Box 870118
Tuscaloosa, AL 35487
Phone 205-348-8283 | Mobile 205-239-8192
amg@ua.edu | http://graduate.ua.edu

he University of Alabama



Twitter | Facebook | YouTube



From: Han, Luoheng
To: Carvalho, Susan
Cc: Pagani, Cathy
Subject: Re: Re: Ali Amiri
Date: Friday, June 23, 2017 5:17:43 PM
Attachments: image001.png

I am going to forward you the letter Dr. Suzuki sent to Ali, which explains the reasons for taking his keys to the lab back.

From: "Carvalho, Susan" <scarvalho@ua.edu>
Date: Friday, June 23, 2017 at 5:00 PM
To: Luoheng Han <luoheng.han@ua.edu>
Cc: "Pagani, Cathy" <cathy@ua.edu>
Subject: Ali Amiri

Hi Luoheng [REDACTED]. Can you briefly tell me the specific grounds on which his access to the lab was taken away – was it because of failure to make progress on the research? Or what was the justification I should convey to Legal Counsel? (brevity is fine here)

Thanks,
Susan

Susan Carvalho
Associate Provost and Dean

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Tuscaloosa, AL 35487
Phone 205-348-8280 | Mobile 859-618-4399
scarvalho@ua.edu | http://graduate.ua.edu

The University of Alabama



From: Carvalho, Susan
To: "cdorsey@fa.ua.edu"
Subject: FW: FW: Destruction of the scientific data
Date: Friday, June 23, 2017 5:34:00 PM
Attachments: Letter (Ali Amiri).pdf
image001.jpg

Dear Dir. Dorsey – one further item on Amiri – the letter from the lab director, containing rationale for denial of access to the lab. Can you let me know whether I should proceed to consult with Legal Counsel on the academic options at this point?

Thanks,

Susan Carvalho

Carvalho signature block no logo



From: Han, Luoheng
Sent: Friday, June 23, 2017 5:19 PM
To: Carvalho, Susan
Cc: Pagani, Cathy
Subject: FW: Destruction of the scientific data
FYI.

Luoheng

From: Takao Suzuki <TakaoSuzuki@mint.ua.edu>
Date: Tuesday, June 20, 2017 at 10:02 AM
To: Ali Amiri <aamiri1@crimson.ua.edu>
Cc: Carl Pinkert <cap@ua.edu>, Robert Olin <olin@ua.edu>, "pleclair@mint.ua.edu" <pleclair@mint.ua.edu>, Luoheng Han <luoheng.han@ua.edu>, Michael Buettner <mbuettner@mint.ua.edu>
Subject: FW: Destruction of the scientific data

Dear Mr. Ali Amiri:

Please find attached the letter.

With my best regards,

Takao

Dr. Takao Suzuki

Endowed Chair

Director for Center for Materials for Information Technology (MINT Center)

Professor of Electrical and Computer Engineering, and

Metallurgical and Materials Engineering

University of Alabama



Dr. Takao Suzuki, *IEEE Fellow*
Endowed Chair, Director of Center for Materials for Information Technology (MINT)
Professor of the Department of Metallurgical and Materials Engineering
Professor of the Department of Electrical and Computer Engineering
Box 870209, Tuscaloosa, Alabama 35487-0209
Tel/Fax: (205) 348-2508 / (205) 348-2346
takao.suzuki@mint.ua.edu

June 20, 2017

Dear Mr. Ali Amiri:

Following the e-mail sent on June 19, 2017 to you by Dr. Patrick LeClair who is Chair of Department of Physics and Astronomy, and he is also your supervisor, I am writing this letter in response to concerns at hand.

According to Dr. LeClair, you are no longer working on a research work under his supervision at MINT since May 15, 2017. Also, to our record, you are not currently being supervised by any other MINT faculty. Furthermore, you are not being supported by any research funds for this summer. What this means is that you are not a MINT student at present. ("MINT student" is a student who is being supervised by a MINT faculty member.)

Therefore, as MINT Director, it is my request to you that you must return all the keys that have been provided to you, and that you return them to Dr. Michael Buettner (MINT Facility Manager) at your earliest convenience, but by no later than June 23 (F) 3:00PM, 2017. (The keys are listed below).

Of course, when you again become a MINT student, with your supervisor's approval you may request access.

Should you have any questions, please let me know.

With my best regards,

A handwritten signature in black ink that reads "Takao Suzuki". The signature is written in a cursive, flowing style.

Dr. Takao Suzuki
Director for Center for Materials for Information Technology (MINT Center)

PLAINTIFF'S
EXHIBIT

To: Walker, R.B.
Subject: Carvalho, Susan
Date: FW: FW: The necessity of a proper action
Thursday, July 20, 2017 2:23:38 PM

He enrolled?

R.B. WALKER | Director of Government Relations
334-467-4512 | rbwalker@uasystem.edu

From: "Taylor, Bryan" <Bryan.Taylor@governor.alabama.gov>
Date: Monday, July 17, 2017 at 10:09 PM
To: "R.B. Walker" <rbwalker@uasystem.edu>
Subject: FW: The necessity of a proper action

RB -- Can you confirm whether this person is in fact a doctoral candidate at UA Dept of Physics?

BRYAN M. TAYLOR
General Counsel
Office of Governor Kay Ivey
Alabama State Capitol
600 Dexter Avenue
Montgomery, Alabama 36104

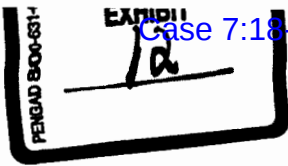
From: Chesnutt, Pam <pam.chesnutt@governor.alabama.gov>
Date: July 17, 2017 at 10:35:37 AM
To: Taylor, Bryan <bryan.taylor@governor.alabama.gov>
CC: Lee, Teresa <teresa.lee@governor.alabama.gov>
Subject: FW: The necessity of a proper action

More information from Ali Amiri -

Pam Chesnutt
Paralegal, Legal Office Administrator, and
Executive Assistant to Chief Deputy General Counsel

Office of Governor Kay Ivey
Alabama State Capitol
600 Dexter Avenue, Suite N-203
Montgomery, Alabama 36130
Office: [334-242-7120](tel:334-242-7120)
Fax: [334-242-2335](tel:334-242-2335)
pam.chesnutt@governor.alabama.gov

This electronic transmission contains information of a legal nature that may be protected as confidential and privileged in accord with the attorney-client privilege. The information is intended strictly for the use of the individuals or entities shown as addressees above. If you are not the



From: Yarbrough, Beth
To: Carvalho, Susan
Subject: RE: RE: Graduate support status
Date: Wednesday, June 28, 2017 2:45:36 PM
Attachments: image004.jpg
image001.png

The hold is in place. Let me know later about the letter.

Beth

Beth Yarbrough

Registrar

Graduate School

The University of Alabama

102 Rose Administration Building, Tuscaloosa, AL 35487

office 205-348-5921

beth.yarbrough@ua.edu | http://graduate.ua.edu

Description: The University of Alabama



From: Carvalho, Susan
Sent: Wednesday, June 28, 2017 2:00 PM
To: Yarbrough, Beth
Subject: FW: Graduate support status

Hi Beth – Mr. Ali Amiri was dismissed from the Physics doctoral program on 5/26 (see email below), following the department advisory committee's April review (attached). Will you place a hold on his registration for Fall 2017, if he has not already registered?

I will let you know when we can send the letter to him, informing him of this hold – we should not send it yet.

I thanks,
Susan

From: Morris, Charter
To: Carvalho, Susan
Subject: RE: RE: Ali Amiri
Date: Wednesday, August 30, 2017 8:08:02 AM
Attachments: RE Request to Meet.msg
image002.gif
image003.jpg

Hi Dean Carvalho,

He hasn't been in touch with me at all outside of the short email exchange from late June in the attachment.

He told me by phone that he would not be transferring his record or filing for a change-of-status or any of the other options I gave him. He made clear that he was suing the University and that he would fight this. I made clear that we would have to terminate his SEVIS record in fall – either for the dismissal from the program or for failure to enroll depending on the circumstances at the beginning of the semester.

I did give him until August 23, but we haven't terminated his SEVIS record yet. I had planned on doing that after today, since today is the last day of drop/add. I wanted to wait until now because I was unsure if his petition to be reinstated to the program would be approved or not.

Do you know if the Provost will respond to him today?

If not, I will terminate for his dismissal from the program and notify him.

Charter Morris
Director
International Student & Scholar Services
Capstone International Center
The University of Alabama
105 BB Comer, Box 870254
Tuscaloosa, AL 35487
Office 205-348-5402 | Fax 205-348-5406
charter.morris@ua.edu | <http://international.ua.edu/iss/>

Description: The University of Alabama



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From: Carvalho, Susan
Sent: Tuesday, August 29, 2017 10:28 PM
To: Morris, Charter <cmorris6@ua.edu>
Subject: Ali Amiri

Hi Charter – can you update me on whether you have had any further conversations with Ali Amiri (Physics student dismissed in July), since your email to him on 6/30/2017?

And has the information of his dismissal been communicated to SEVIS?

I ask because he is seeking for the provost to reinstate him as a student. I wonder if he will have received any communication from SEVIS himself?

Thanks,
Susan



From: Carvalho, Susan
To: Morris, Charter
Subject: Graduate School letter to Ali Amiri
Date: Friday, June 30, 2017 9:23:00 AM
Attachments: 0967_001.pdf
image001.png

Hi Charter—just FYI, I learned today that the letter from the Graduate School to Ali Amiri, confirming the hold on his Fall registration and his dismissal from UA (attached), was sent via regular mail, not email, yesterday. So he will not have received it – he only received the communication from his department chair.

Because there was some ambiguity in the way that department email was written, I hope he understands that the department did not just withdraw financial support for the coming year, but actually dismissed him from the program.

The Graduate School letter would clarify that—but he hasn't received it. So if you can assess whether he understands the situation or not, that would be helpful all around. I just didn't want you to assume that he is fully aware, as he might not be. If I need to clarify this with him right away, please let me know.

Thanks,

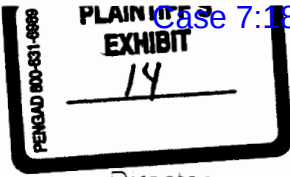
Susan

Susan Carvalho
 Associate Provost and Dean

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scarvalho@ua.edu | http://graduate.ua.edu

The University of Alabama





Director

International Services
 Capstone International Center
 The University of Alabama
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 Tuscaloosa, AL 35487
 Office 205-348-5402 | Fax 205-348-5406
charter.morris@ua.edu | <http://is.ua.edu/>

Description: The University of Alabama

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From: Greer, Jennifer [<mailto:jdgreer@ua.edu>]
Sent: Tuesday, June 27, 2017 12:47 PM
To: 'charter.morris@ua.edu' <charter.morris@ua.edu>
Subject: FW: Graduate support status
 Jennifer D. Greer, Ph.D.
 Associate Provost for Administration
 University of Alabama
 254 Rose Administration
 Box 870114
 Tuscaloosa, AL, 35487-0114
 Direct line (205) 348-6304
 Main office line (205) 348-4890
jdgreer@ua.edu

From: Carvalho, Susan
Sent: Monday, June 26, 2017 4:18 PM
To: Greer, Jennifer
Subject: FW: Graduate support status

Hi Jennifer – the attached Grad Committee assessment and the chair's email below effectively terminate Ali Amiri's student status. Do you want to run this by Norma during your regular meetings, do we do this by email, or shall I consult with her? Let me know best next step in making sure we are able to communicate this clear decision to him and make sure he understands it, as well as notifying the visa office.

Thanks,
 Susan

The University of Alabama

[Twitter](#) | [Facebook](#) | [Instagram](#)

On Jun 30, 2017, at 10:08 AM, Ali Amiri <aamiril@crimson.ua.edu> wrote:

I just called your office and realized that you have another meeting right now. Please let me know if you have another time for a brief meeting today.

On Jun 30, 2017 10:02 AM, "Ali Amiri" <aamiril@crimson.ua.edu> wrote:

Hi, I am on my way. I will be in your office in 10 min. Is it OK?

On Jun 30, 2017 9:58 AM, "Morris, Charter" <cmorris6@ua.edu> wrote:

Dear Ali,

I hope everything is okay. We had an appointment for 9 am this morning, but when you didn't show up, I just wanted to make sure that there wasn't a misunderstanding about the time or any other issue.

To follow up on what I had hoped to discuss, as I noted, I have been informed that you have been dismissed from your program in Physics, which will likely lead to dismissal from the PhD program. As you know, your F-1 student visa status is tied to your studies and program.

What I wanted to do is to explore your options. Based on my understanding that you aren't being immediately dismissed but rather won't be allowed to continue in the program this fall, you have a little time to make some decisions. We won't have to terminate your F-1 SEVIS Record until the start of the fall semester, either when your dismissal goes into effect or when you fail to be able to enroll in coursework for the fall semester. That means that you have until August 23 to take action, with your options being the following:

1. Get admitted to a new program at UA and update your I-20. If you get admitted to a new program of study at UA, you would just need to complete an updated I-20 request with proof of funding for the new program, and we would update your I-20 to reflect that change in studies - http://is.ua.edu/wp-content/uploads/2016/07/I-20_DS-2019_Request_Form.pdf
2. Get admitted to another school and transfer your SEVIS Record to them - <http://is.ua.edu/currentstudents/maintaining-student-visa-status/transfer-out-of-sevis-record/>
3. Apply for a change-of-status to another visa category, such as a B-1/B-2 visitor - <https://www.uscis.gov/i-539>; <https://www.uscis.gov/sites/default/files/USCIS/Resources/C2en.pdf>
4. If all other options fail, you can file for an Authorized Early Withdrawal, giving you a 15-day grace period to prepare to depart the U.S. - <http://is.ua.edu/currentstudents/maintaining-student-visa-status/leave-of-absence/>. This can be done just shortly before the August 23 deadline to maximize your amount of time to prepare to leave.

I know that this is a tough time for you, and I just want you to know that we will help you in any way we can. While my office has no control over the academic decisions of the institution, we are here to make sure you have all the options necessary to make a decision about your next steps.

the recommendation of the committee. And he attached the committee recommendation, which I attach here to this email. That document contained the names of the faculty members who made the recommendation for dismissal, and that is the reason that both Dr. Henderson and Dr. Townsley expressed their concerns about the implicit threat in the email, of "seeing the consequences" of the action.

I hope this helps clarify the chain of communication; glad to answer any further questions.

Susan

Carvalho signature block no logo



From: Charles Dorsey [mailto:cdorsey@fa.ua.edu]

Sent: Thursday, June 29, 2017 1:52 PM

To: Carvalho, Susan

Cc: Ronnie Robertson

Subject: RE: Five Topics for One Dissertation!

Dr. Carvalho,

While reading your email, I became somewhat confused. Has AMA (CWID: ~~113342946~~) been officially dismissed from UA, or just denied funding for the Fall 2017 semester?

Also, I have a call into UAPD Inv. Davis to ensure he and I each have the most up-to-date information concerning this matter.

Regards,

Charlie Dorsey

Charles Dorsey

Director, Office of Threat Assessment

The University of Alabama

office 205-348-2834

cdorsey@fa.ua.edu | <http://threatassessment.ua.edu>

From: Carvalho, Susan [mailto:scarvalho@ua.edu]

Sent: Thursday, June 29, 2017 11:31 AM

To: Charles Dorsey <cdorsey@fa.ua.edu>

Cc: Ronnie Robertson <rrobertson@fa.ua.edu>; Robert Wilsie <rwilsie@uapd.ua.edu>; Lemley, Norma <nlemley@uasystem.edu>

Subject: RE: Five Topics for One Dissertation!

Dear Mr. Dorsey – thank you for the note below, regarding Ali Amiri, recently dismissed from the Physics doctoral program. I met today with the chair of the Physics department, Patrick Leclair, who shared with me the attached email he received from Ali Amiri on June 1, in relation to the



Ali Amiri <aamiri1@crimson.ua.edu>

Audiotape of a group meeting

Ali Amiri <aamiri1@crimson.ua.edu>

Fri, Jun 23, 2017 at 4:46 PM

To: president <president@ua.edu>, kwhitaker@ua.edu, "Pinkert, Carl" <cap@ua.edu>, Takao Suzuki <takaosuzuki@mint.ua.edu>, William Butler <wbutler@mint.ua.edu>

 Group Meeting on April 7th 2017.wav

Dear Professors,

The attached audiotape is from our group meeting on the April 7th, 2017. It is a full audiotape including the full length of discussion without any changes.

Let me describe it, a little bit:

In the first 3 minutes, I am talking about "Research Topic #5". This research was defined based on Dr. Ivan Schuller's recent work on the proximity effect. I was able to reproduce their results and get some new findings. But Dr. Gupta was not willing to let me finish these series of experiments and publish them.

In minute 3, Dr. Gupta uses the term "Dead End" which he usually uses when I talk about my career or my publication and so on. In minute 17 he repeats this term again.

From minute 3 to minute 5, I am talking about a great discovery I have made in correlated electron systems. (This is not from any of those Five Research Topics). I have found these results based on my own theoretical studies and few simple experiments. I have some good data on this research. To get a complete set of data, I have designed another experiment, which should prove my theory, and it will take 2-3 weeks to be done.

In minute 5, Dr. Gupta reminds me "the strain paper" which is rejected two times. (It was a combination of two unrelated sets of data, and Dr. Gupta did not let me write two papers, or dismiss one set of those data).

Please notice that: in some parts I am saying "that is true". It is obvious that this is not a confirmation. This is just a polite sentence to calm down people, to continue the discussion, in order to reach to a result.

If you have any question, please send me an email.

Again, I sincerely appreciate your time and patience. And sorry for inconvenience.

Best Regards,
Ali Amiri

--

Doctoral Candidate
Center for Materials for Information Technology
Department of Physics and Astronomy
University of Alabama

From: Greer, Jennifer
To: Carvalho, Susan
Subject: RE: RE: Ali Amiri
Date: Thursday, June 29, 2017 2:08:03 PM
Attachments: image001.png

I would think it best that Carl nor anyone in his office see this. That way they can't be accused of mishandling the second claim he has made because he calls the first report "faulty."

If the NSF Inspector General wants to look into it, we could tell Carl at that time.

My general stance is not to share criticisms and threats of lawsuits or grievances with those who will ultimately make the decision unless there's a compelling reason to do so.

Jennifer D. Greer, Ph.D.
Associate Provost for Administration
University of Alabama
254 Rose Administration
Box 870114
Tuscaloosa, AL, 35487-0114
Direct line (205) 348-6304
Main office line (205) 348-4890
jdgreer@ua.edu

From: Carvalho, Susan
Sent: Thursday, June 29, 2017 1:14 PM
To: Greer, Jennifer
Subject: Ali Amiri

Hi Jennifer – regarding the attached email from Ali Amiri from 6/1 – he mentions that "The NSF Inspector General will handle this case." Do you think I should forward this email to Carl Pinkert, both because of our own internal investigation and because of the reference to NSF involvement?

Let me know—thanks,
Susan

Susan Carvalho
Associate Provost and Dean

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The University of Alabama
102 Rose Administration Bldg.
Box 870118
Tuscaloosa, AL 35487
Phone 205-348-8280 | Mobile 859-618-4399
scarvalho@ua.edu | <http://graduate.ua.edu>



From: Carvalho, Susan
To: Han, Luoheng
Cc: Pagani, Cathy
Subject: Behavioral Assessment Team (BIT) and Ali Amiri
Date: Friday, June 23, 2017 1:02:00 PM
Attachments: image001.png
Importance: High

Hi Luoheng (cc Cathy) – Cathy Pagani will be attending a Behavioral Assessment Team (BIT) meeting today at 3:30, and it would be best to discuss Ali Amiri's situation with them if you feel that he is in any way a danger to himself or others. As context for that conversation, can you forward Cathy any of the emails that you consider to indicate that he is reaching a danger level in his behavior, threats, etc.? She just needs one example.

Thanks so much,

Susan

Susan Carvalho

Associate Provost and Dean

Graduate School

The University of Alabama

102 Rose Administration Bldg.

Box 870118

Tuscaloosa, AL 35487

Phone 205-348-8280 | Mobile 859-618-4399

scarvalho@ua.edu | http://graduate.ua.edu

The University of Alabama





From: Carvalho, Susan
To: "Charles Dorsey"
Cc: "Ronnie Robertson"
Subject: RE: RE: Five Topics for One Dissertation!
Date: Friday, June 30, 2017 9:24:00 AM
Attachments: image001.jpg
image002.gif

Thanks so much—

Susan

Carvalho signature block no logo



From: Charles Dorsey [mailto:cdorsey@fa.ua.edu]

Sent: Friday, June 30, 2017 9:06 AM

To: Carvalho, Susan

Cc: Ronnie Robertson

Subject: RE: Five Topics for One Dissertation!

Dr. Carvalho,

AMA is meeting this morning with UA's International Services Director Charter Morris to discuss his options based on his F-1 Visa. I spoke with Charter and briefed him on the current status of AMA. I also notified UAPD to ensure their situational awareness.

More to follow,

Charlie Dorsey

Charles Dorsey

Director, Office of Threat Assessment

The University of Alabama

office 205-348-2834

cdorsey@fa.ua.edu | http://threatassessment.ua.edu

From: Carvalho, Susan [mailto:scarvalho@ua.edu]

Sent: Thursday, June 29, 2017 5:44 PM

To: Charles Dorsey <cdorsey@fa.ua.edu>

Cc: Ronnie Robertson <rrobertson@fa.ua.edu>

Subject: RE: Five Topics for One Dissertation!

Hi Charles – AMA has been dismissed from the university in addition to the denial of funding. While Dr. Leclair did not reiterate the program dismissal in his email, he did reference that he would follow

the recommendation of the committee. And he attached the committee recommendation, which I attach here to this email. That document contained the names of the faculty members who made the recommendation for dismissal, and that is the reason that both Dr. Henderson and Dr. Townsley expressed their concerns about the implicit threat in the email, of "seeing the consequences" of the action.

I hope this helps clarify the chain of communication; glad to answer any further questions.

Susan

Carvalho signature block no logo



From: Charles Dorsey [<mailto:cdorsey@fa.ua.edu>]

Sent: Thursday, June 29, 2017 1:52 PM

To: Carvalho, Susan

Cc: Ronnie Robertson

Subject: RE: Five Topics for One Dissertation!

Dr. Carvalho,

While reading your email, I became somewhat confused. Has AMA (CWID: 11342916) been officially dismissed from UA, or just denied funding for the Fall 2017 semester?

Also, I have a call into UAPD Inv. Davis to ensure he and I each have the most up-to-date information concerning this matter.

Regards,

Charlie Dorsey

Charles Dorsey

Director, Office of Threat Assessment

The University of Alabama

office **205-348-2834**

cdorsey@fa.ua.edu | <http://threatassessment.ua.edu>

From: Carvalho, Susan [<mailto:scarvalho@ua.edu>]

Sent: Thursday, June 29, 2017 11:31 AM

To: Charles Dorsey <cdorsey@fa.ua.edu>

Cc: Ronnie Robertson <rrobertson@fa.ua.edu>; Robert Wilsie <rwilsie@uapd.ua.edu>; Lemley, Norma <nlemley@uasystem.edu>

Subject: RE: Five Topics for One Dissertation!

Dear Mr. Dorsey – thank you for the note below, regarding Ali Amiri, recently dismissed from the Physics doctoral program. I met today with the chair of the Physics department, Patrick Leclair, who shared with me the attached email he received from Ali Amiri on June 1, in relation to the

notification of his dismissal.

Yesterday or today, Dr. Leclair also shared this email and photograph with the faculty members on the advisory committee, who wrote the recommendation for Mr. Amiri's dismissal. Two of the faculty members – Dr. Dean Townsley and Dr. Conor Henderson, told him that they felt threatened by the content of the email, the tone, and the reference to the artwork. Specifically, they pointed to his statement that “they will be held responsible” and “they will see the consequences of their unethical action.”

As a result, Dr. Leclair reported the email and the faculty members' concern to Officer Davis at UAPD, as this relates to MINT Center research.

I wanted to make sure you are in this communication loop.

Mr. Charter Morris in the Office of International Student & Scholar Services will be meeting this week with Mr. Amiri, to discuss his options at this point, related to student visa eligibility, since he is an international student and has been officially dismissed from the University. He is also being notified today that he will not be allowed to register for Fall courses, based on this dismissal.

He has been informed of the processes for appeal of the decision.

We look forward to your input as these processes move forward.

Sincerely,

Susan Carvalho

Carvalho signature block no logo



From: Charles Dorsey [<mailto:cdorsey@fa.ua.edu>]

Sent: Friday, June 23, 2017 6:26 PM

To: Carvalho, Susan

Cc: Pagani, Cathy; Han, Luoheng; Ronnie Robertson; Robert Wilsie

Subject: RE: Five Topics for One Dissertation!

Dr. Carvalho,

On 04/26/2017, the Office of Threat Assessment (OTA) became involved in this matter at the request of UA's Compliance, Ethics, and Regulatory Affairs Coordinator Dr. Marcy Huey. Based on this inquiry, the OTA conducted its standard background examination regarding AMA (CWID: 11342916) from a Behavioral Threat Assessment perspective. After a thorough review of all available, documented information, AMA's risk of committing a violent and/or assaultive act was placed at the **LOW** level. On 04/27/2017, this information was provided to Dr. Huey and UA Research Compliance Officer, Director Tanta Myles.

Based on the provided information-to-date, the OTA has no reason to change AMA's behavioral risk level. Regarding your other questions, the stated mission of the OTA has no responsibility to become involved in academic misconduct decisions. The current policies of the Department of Physics and Astronomy should dictate the status/future status of AMA within that Department.

The OTA would be happy to meet and further discuss this matter if deemed appropriate.
Please advise of any additional questions and/or comments.

Regards,

Charlie Dorsey

Charles Dorsey

Director, Office of Threat Assessment

The University of Alabama

office 205-348-2834

cdorsey@fa.ua.edu | <http://threatassessment.ua.edu>

From: Carvalho, Susan [<mailto:scarvalho@ua.edu>]

Sent: Friday, June 23, 2017 4:35 PM

To: Charles Dorsey <cdorsey@fa.ua.edu>; rmwilsie@bama.ua.edu

Cc: Pagani, Cathy <cathy@ua.edu>; Han, Luoheng <luoheng.han@ua.edu>

Subject: FW: Five Topics for One Dissertation!

Dear Dir. Dorsey and Sgt. Wilsie – after discussion today with Dean Olin of A&S, and Associate Dean Cathy Pagani of the Graduate School, I am forwarding the email chain below, and its attachments, from graduate student Ali Amiri. The College of A&S is concerned that Mr. Amiri has not responded to messages that direct him toward appropriate academic grievance channels, and is instead reaching out directly to the president and provost with his repeated accusations of misconduct. Can you clarify for me whether this particular message should be handled through regular academic channels, or whether it should be handled in concert with your office? The specific academic questions are the following (associate dean Luoheng Han of A&S or Cathy Pagani, both cc'd here, may add other concerns to this list):

- The two faculty members who have been directing Mr. Amiri's doctoral research no longer wish to direct his project, due to his failure to progress along the lines they have laid out for his research. Should we proceed to identify other directors, since a student cannot continue doctoral research without direction?
- Will his lack of further access to research facilities interfere with his academic standing in the program? Or do you consider that he is still an enrolled doctoral student, but without a lab?
- Is the Office of Legal Counsel involved in this case, and will they or you be making a determination about his continued status as a UA doctoral student? Or should we discuss this with Legal Counsel ourselves?
- Do you have suggestions or a plan to urge him to cease sending further messages to those who are not involved in the grievance hierarchy? Or should we proceed with addressing that?

We are available to discuss this in person or by phone. Since we understand that your office has been involved with this student in the past, we don't want to pursue separate channels until consulting with you. Thanks,

Susan Carvalho



Miller, Jared

Subject: Phone call re Ali Amiri
Location: Susan will call

Start: Mon 6/26/2017 2:30 PM
End: Mon 6/26/2017 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Carvalho, Susan
Required Attendees: Han, Luoheng

Hi Luoheng – can I call you at 2:30 to discuss Ali Amiri? Thanks,
Susan

Miller, Jared

Subject: Discussion re Ali Amiri
Location: 102 Rose

Start: Thu 6/29/2017 11:00 AM
End: Thu 6/29/2017 11:30 AM

Recurrence: (none)

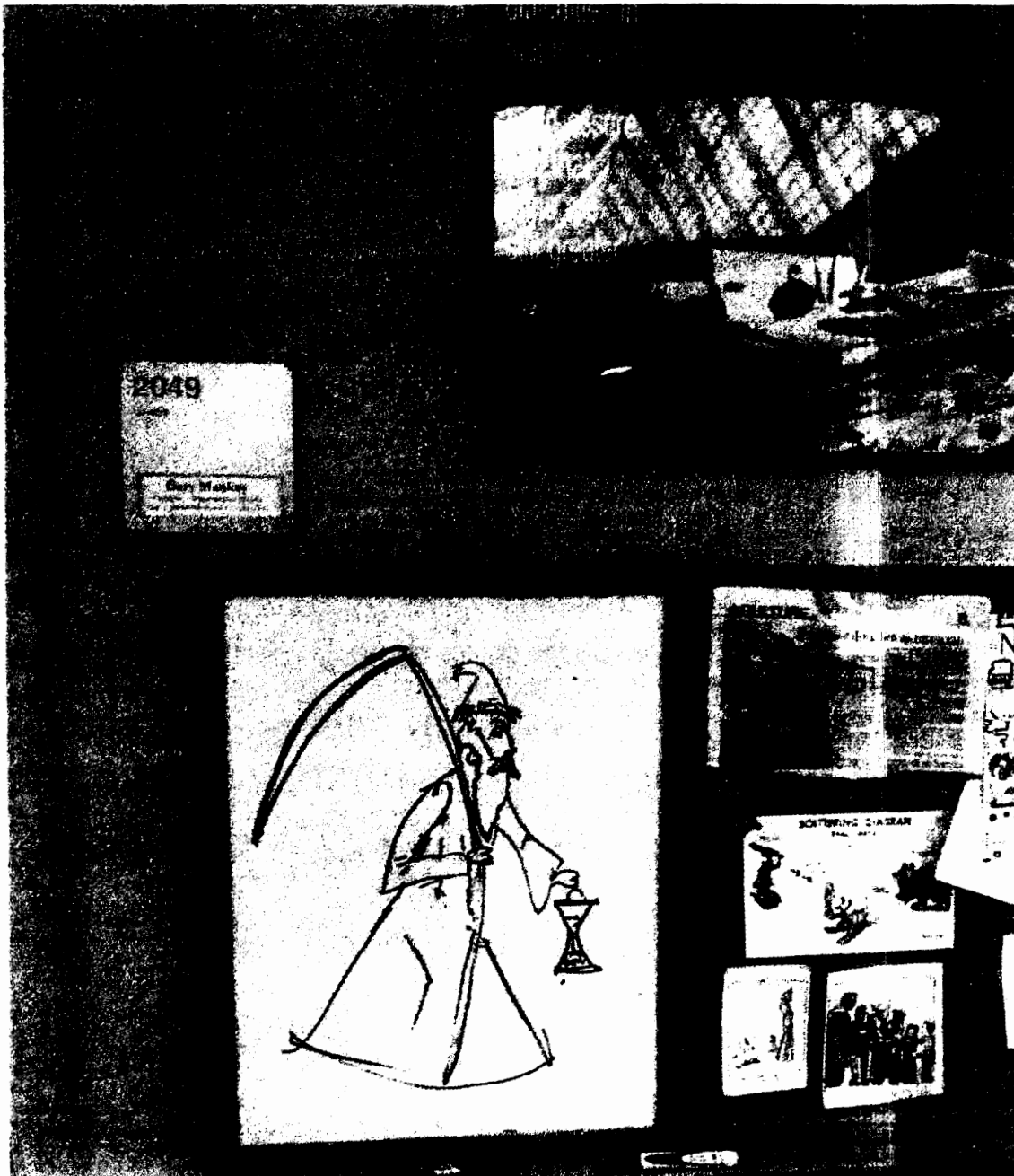
Meeting Status: Meeting organizer

Organizer: Carvalho, Susan
Required Attendees: Han, Luoheng; Leclair, Patrick

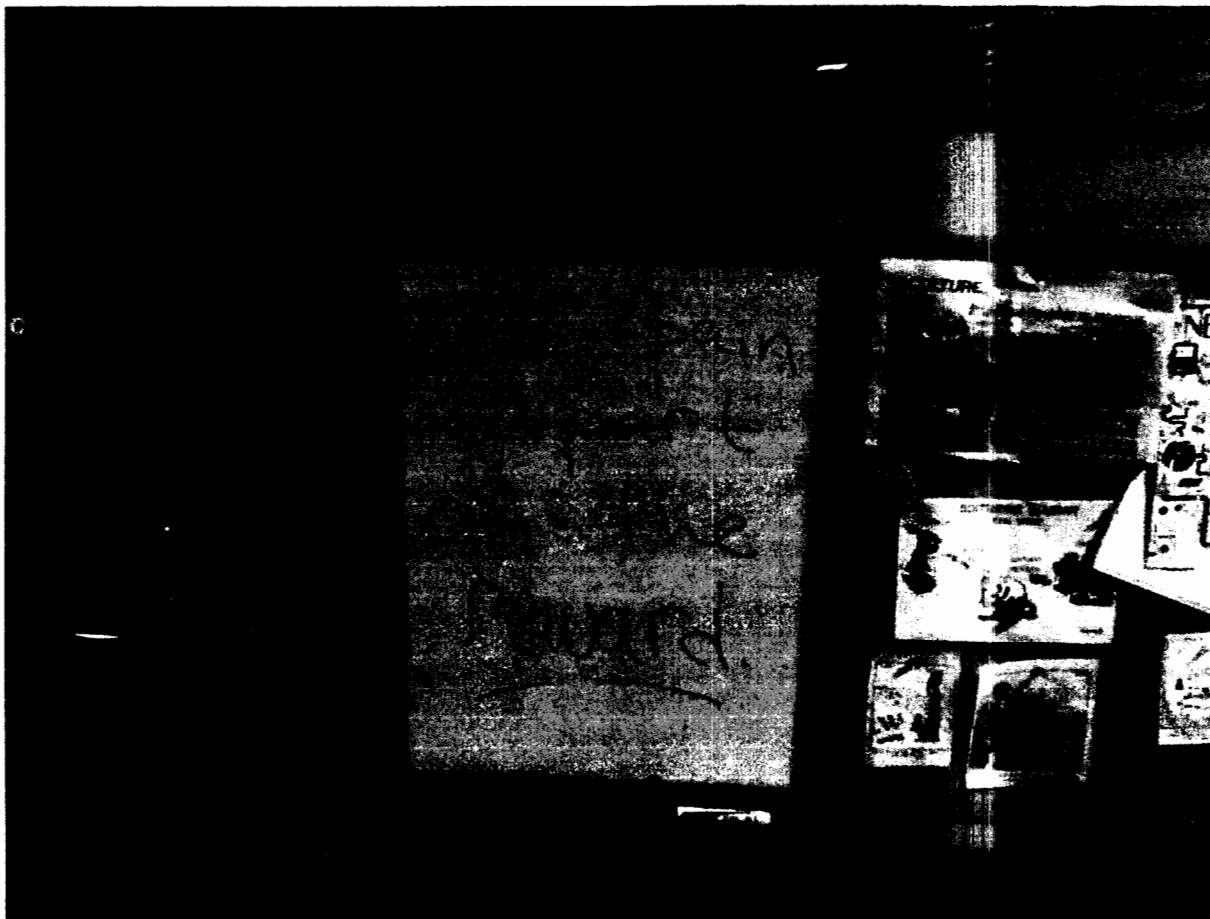


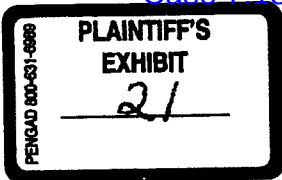
photograph of the
photograph of the

All About
Richard Landrum
Center for Materials for Information Technology
Department of Physics and Astronomy
University of Alabama



This statement is created by Dr. Gary Mankey in spring 2016.





Mumper Ready to Empower More Research at UA

January 17th, 2019

By Adam Jones (<mailto:adam.jones@ua.edu>)

Dr. Russell J. Mumper wants to foster a sustainable environment that empowers research across campus to perform even more transformative work.

As he settles into his new role as vice president for research and economic development at The University of Alabama, Mumper is meeting with colleagues to understand the research enterprise on campus, and he's not hesitating to explore opportunities to enhance those efforts.

"I'm extremely impressed with the work here on campus and the involvement of students in leading-edge research," Mumper said.

He joined UA Jan. 4 after serving about four years as vice provost for academic affairs at the University of Georgia.

Selected in October (<https://www.ua.edu/news/2018/10/ua-names-vice-president-for-research/>) after a national search, Mumper provides leadership for advancing UA's research and economic development efforts, fulfilling one of the primary goals of UA's Strategic Plan.

Mumper will spend the first few months of his tenure working on a collaborative strategic plan to expand the University's research enterprise consistent with UA's Strategic Plan.

"It's critical to work closely with faculty and academic units because they are the foundation for the success of this campus's research endeavors," he said.

He wants to continue to support the institutes on campus that broadly encourage faculty and researchers to collaborate in the areas of transportation, water, cyber and the human condition.

"Focus creates opportunity," Mumper said. "These are broad themes that include a lot of people, but are narrow enough to articulate areas where we excel."



(<https://www.ua.edu/news/wp-content/uploads/2019/01/190117-RJM-01.jpg>)

Dr. Russell J. Mumper

The institutes are the Alabama Transportation Institute, Alabama Water Institute, Alabama Cyber Institute and the Alabama Life Research Institute. "Organizing around these themes will help in strategic faculty hires, student recruitment, external funding and partnerships with industry," he said.

He expects more institutes are likely to form, as there is critical mass in other areas on campus.

"I applaud what has been done, and we need to foster a culture that embraces this approach," Mumper said. "It is critical that all faculty envision themselves in one or more of these focus areas, and, if not, we should pursue options to create additional collaborative opportunities as appropriate."

While putting together a more detailed plan continues this spring, Mumper said there are initiatives he knows will help.

He would like to motivate research by strengthening the infrastructure for securing external funding including eliminating any barriers that remain to faculty writing and submitting grants, investing in more grant coordinators and defining best practices for submissions.

Mumper would also like to find ways to provide investments and rewards to faculty. Investments could include more seed funding, faculty hires, more endowed professorships and possibly a return of more funds to faculty, centers and academic units to provide additional resources for more innovations.

"To ensure sustainability of research activity, UA can explore rewarding innovation that results in invention disclosures, copyrighted materials and patents, high-impact publications, creative works, start-up companies, technology transfer agreements and economic development," he said.

"We must create a culture of UA being a destination for faculty to develop and reach their full potential as innovators and scholars," Mumper said.

◆ Faculty & Staff (<https://www.ua.edu/news/category/faculty/>), Research (<https://www.ua.edu/news/category/research/>)

The University of Alabama, the state's oldest and largest public institution of higher education, is a student-centered research university that draws the best and brightest to an academic community committed to providing a premier undergraduate and graduate education. UA is dedicated to achieving excellence in scholarship, collaboration and intellectual engagement; providing public outreach and service to the state of Alabama and the nation; and nurturing a campus environment that fosters collegiality, respect and inclusivity.



From: Araujo, Paulo paulo.t.araujo@ua.edu
 Subject: Re: grad advising needs to meet ASAP

Date: April 27, 2017 at 7:27 PM

To: Henderson, Conor conor.henderson@ua.edu, Dean Townsley Dean M Townsley@ua.edu, Nair, Preethi preethi.nair@ua.edu, Leclair, Patrick pleclair@ua.edu

Cc: Paulo Araujo ptaraujo@ua.edu, Okada, Nobuchika okadan@ua.edu, Sanjoy Sarker ssarker@bama.ua.edu



I can make it tomorrow at any time but from 11 to noon since I will be teaching that time.

Paulo T. Araujo, Ph.D.
 Physics Department, U. of Alabama.
 Center for Materials for Info. Tech. - MINT, U. of Alabama
 Tom Beville Research Bldg, Room 2050.
 The University of Alabama, Tuscaloosa, AL 35401
 Office number: +1(205) 348-2878
 E-mail: paulo.t.araujo@ua.edu
 Visiting Professor at UFPA, Belem, PA, Brazil.
 Editor in Chief: Book Series Carbon Nanostructures, Springer.

From: Conor Henderson <conor.henderson@ua.edu>
Sent: Thursday, April 27, 2017 6:53:32 PM
To: Dean Townsley; Nair, Preethi; Leclair, Patrick
Cc: Paulo Araujo; Okada, Nobuchika; Sanjoy Sarker
Subject: Re: grad advising needs to meet ASAP

I could meet any time tomorrow after 10am, and almost any time Monday.

So far it sounds like 10am Friday works for the people who have responded already. Is there anyone for which this does not work?

Conor.

On 4/27/2017 5:37 PM, Dean Townsley wrote:

> I am available 10-4 tomorrow, and pretty much any time on Monday morning.

>

> Dean

>

>

> On 04/27/2017 04:38 PM, Nair, Preethi wrote:

>> Hi Patrick, et al.

>>

>> I can meet between 9:00 - 11:00 a.m. tomorrow.

>> I have office hours with AY101 students after that plus class at 2:00

>> p.m. followed by more help sessions.

>>

>> I can also meet on Monday nearly anytime.

>>

>> Cheers,

>>

>> -Preethi

>>

>>

From: Leclair, Patrick pleclair@ua.edu
 Subject: Re: grad advising needs to meet ASAP
 Date: April 28, 2017 at 9:37 AM



To: Preethi Nair preethi.nair@ua.edu
 Cc: Sarker, Sanjoy ssarker@ua.edu, Conor Henderson conor.henderson@ua.edu, Dean Townsley Dean M Townsley@ua.edu, Paulo Araujo ptaraujo@ua.edu, Nobuchika Okada okadan@ua.edu, Sanjoy Sarker ssarker@bama.ua.edu

Yes, and you should discuss the support and standing of all students in their 5th or 6th year who are getting close to their PhD deadline. You should also discuss anticipated graduation dates for these students so we can predict how many grad offers we might need to make in the spring

-patrick

Are we having a meeting Friday morning (10 am)?

From: Sarker, Sanjoy <ssarker@ua.edu>
 Sent: Friday, April 28, 2017 8:05:05 AM
 To: Leclair, Patrick; Henderson, Conor
 Cc: Dean Townsley; Nair, Preethi; Paulo Araujo; Okada, Nobuchika; Sanjoy Sarker
 Subject: Re: grad advising needs to meet ASAP

I am available Friday and Monday.

As it stands, everyone is available Monday.
 Friday: We can try 10-11 am.

From: Patrick LeClair <pleclair@ua.edu>
 Sent: Thursday, April 27, 2017 10:11:17 PM
 To: Henderson, Conor
 Cc: Dean Townsley; Nair, Preethi; Paulo Araujo; Okada, Nobuchika; Sanjoy Sarker
 Subject: Re: grad advising needs to meet ASAP

I will drop by for the start of the meeting to give some background information, but should not be part of the discussion for reasons that will quickly become obvious.

Looks like 10am Friday does work, let's go ahead with that unless someone objects in the next hour or so ...

-patrick

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 >>> I can also meet on Monday nearly anytime.

>>> Cheers,

>>> -Preethi

>>> On Apr 27, 2017, at 4:34 PM, Patrick LeClair <pleclair@ua.edu> wrote:

>>>> Hi,

>>>> The graduate advising committee needs to meet before lunchtime on Monday to discuss an urgent and serious matter. I will brief as many of you as I can on it individually

From: Leclair, Patrick pleclair@ua.edu
Subject: Re: grad advising needs to meet ASAP
Date: April 27, 2017 at 10:11 PM



To: Conor Henderson conor.henderson@ua.edu

Cc: Dean Townsley Dean M Townsley@ua.edu, Preethi Nair preethi.nair@ua.edu, Paulo Araujo ptaraujo@ua.edu, Nobuchika Okada okadan@ua.edu, Sanjoy Sarker ssarker@bama.ua.edu

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-patrick

--
Dr. Conor Henderson
Associate Professor & Graduate Director
Department of Physics & Astronomy
University of Alabama



From: Pagani, Cathy
To: Carvalho, Susan
Cc: Yarbrough, Beth
Subject: Re: Re: Error in cc line of Amiri dismissal letter
Date: Monday, February 12, 2018 9:40:04 AM

Agreed!

On Feb 12, 2018, at 9:36 AM, Carvalho, Susan <scarvalho@ua.edu> wrote:

We definitely do not want to send a new one to the student, as this is likely to go to litigation; we will just leave it as is, and produce the corrected letter if asked. I have already sent in the current version, to our Legal Counsel.

It may not make any difference; we do know that the student was notified of his suspension, and that is the primary thing!

Thanks,
Susan

Susan Carvalho
Associate Provost and Dean

Graduate School
The University of Alabama
102 Rose Administration Bldg.
Box 870118
Tuscaloosa, AL 35487
Phone 205-348-8280 | Mobile 859-618-4399
scarvalho@ua.edu | http://graduate.ua.edu

From: Yarbrough, Beth
Sent: Monday, February 12, 2018 9:29 AM
To: Pagani, Cathy
Cc: Carvalho, Susan
Subject: RE: Error in cc line of Amiri dismissal letter

I am waiting on the department chair (Dr. Leclaire) to call me back.

Beth

Beth Yarbrough
Registrar

University Registrar

November 2017

University of Alabama

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Registration Status

11342916 Ali Amiri
Spring 2018
Nov 23, 2017 10:42 pm

You may register during the following times

From	Begin Time	To	End Time
Oct 30, 2017	07:00 am	Apr 03, 2018	11:59 am

⚠ Advising Status: You must see your advisor prior to registration.

⚠ You have Holds which will prevent registration.

✓ Your Academic Standing is Good Standing which permits registration.

✓ Your Student Status permits registration.

Your Class for registration purposes is Graduate Student.

Earned Credit

Level	Type	Hours
Graduate	Institutional	95.000

Undergraduate Institutional 4.000

University Registrar

March 2018

University of Alabama

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Registration Status

11342916 Ali Amiri

Fall 2018

Mar 13, 2018 12:30 am

- ✓ You have no Registration Time Ticket. You may register at any time.
 - ✓ Advising Status: Advising requirement cleared.
 - ⚠ You require re-admission prior to registration.
 - ⚠ You have Holds which will prevent registration.
 - ✓ Your Academic Standing is Good Standing which permits registration.
 - ✓ Your Student Status permits registration.
- Your Class for registration purposes is Graduate Student.

Earned Credit

Level	Type	Hours
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Graduate	Institutional	95.000
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Undergraduate	Institutional	4.000
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